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L I N C O L N
EMANCIPATOR OF THE
NATION

By FREDERICK TREVOR HILL

HISTORY

LINCOLN: EMANCIPATOR OF THE NATION

LINCOLN THE LAWYER

DECISIVE BATTLES OF THE LAW

THE STORY OF A STREET

ON THE TRAIL OF WASHINGTON

ON THE TRAIL OF GRANT AND LEE

WASHINGTON—THE MAN OF ACTION

ESSAYS

LINCOLN'S LEGACY OF INSPIRATION

LAW

THE CARE OF ESTATES

FICTION

THE CASE AND EXCEPTIONS

THE MINORITY

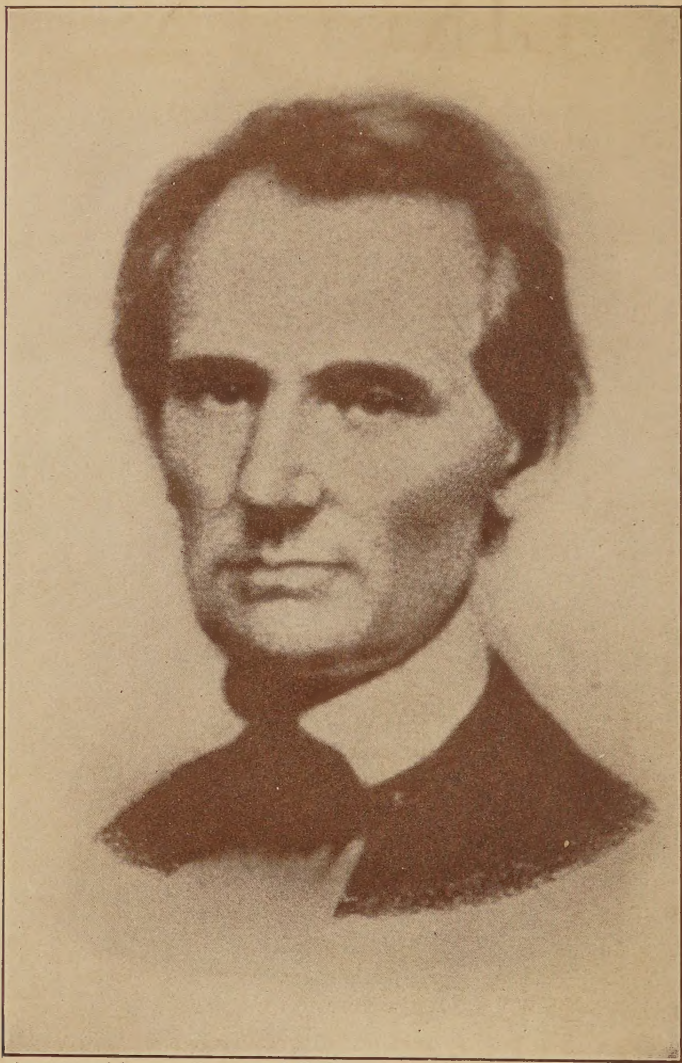
THE WEB

THE ACCOMPLICE

THE 13th JUROR

TALES OUT OF COURT

HIGH SCHOOL FARCES



Courtesy of Messrs. Harris and Ewing.

ABRAHAM LINCOLN AT ABOUT 35-34

LINCOLN

EMANCIPATOR OF THE NATION

A NARRATIVE HISTORY OF LINCOLN'S BOYHOOD
AND MANHOOD BASED ON HIS OWN WRITINGS,
ORIGINAL RESEARCH, OFFICIAL DOCUMENTS
AND OTHER AUTHORITATIVE INFORMATION

BY
FREDERICK TREVOR HILL



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NEW YORK AND LONDON
D. APPLETON & COMPANY
MCMXXVIII

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To
THE ACTIVE, HONORARY AND
AFFILIATED MEMBERS OF THE
F. T. ASSOCIATION

FOREWORD

It is a strange fact—and one that is often forgotten or slurred—that Lincoln, in whom all the hopes of the North were centered during the Civil War, was a Southerner both by birth and inheritance. Indeed he was, in a way, a born and bred Virginian, for his native state—Kentucky—was owned by Virginia up to within a few years of his birth and the bulk of its population was recruited from the Old Dominion.

Certainly all Lincoln's immediate ancestors were Virginians, either by adoption or grace, for his grandfather and his father both came from that state with the vanguard of the settlers who swept into Kentucky toward the close of the Revolution. His mother's people were likewise numbered among those hardy pioneers.

On both sides of his family he was, therefore, closely affiliated with the great commonwealth whose right to be known as the "Mother of Presidents," remains unchallenged.

Of course Lincoln can no longer properly be claimed by any state or section of the country. He is a national heritage belonging neither to Virginia nor Kentucky, nor to Indiana, nor to Illinois—but "to the Ages."

Nevertheless, in attempting to make any just esti-

FOREWORD

mate of his character and services, it is helpful to remember that he was not a product of the North, but of the South. And, if local pride must be satisfied, he was, more than anything else, a Virginian.

He has been hailed as "the first American." That oft-quoted and frequently misinterpreted tribute touches the true keynote of his quality. Unless it be clearly sounded and its pitch sustained, there can be no real harmony between Lincoln's life work and his fame.

The history of the United States prior to 1860 is replete with the names of men whose brilliant achievements added luster to the records of their country. Such men were not lacking at the critical period when the existence of the Union was at stake. They played their part in the titanic struggle and fairly earned the high place accorded them on the honor roll of the Republic.

But throughout the miasma of civil war and bitter sectional feeling Lincoln, though the representative of a partisan group, was the only statesman who, from first to last, *thought nationally*. In other words, he was the one leader of public opinion that invariably stated all disrupting problems which confronted him in the terms of the nation, concentrated his attention on its welfare and let that dominate every other issue.

He, preëminently, if not alone, had the breadth of mind to recognize that the North as well as the South was responsible for the existence of slavery. To his

FOREWORD

mind it was not a local but a national disgrace affecting the whole body politic and, unmoved by personal prejudice or popular clamor, he steadfastly refused to consider it from any narrow viewpoint. He hated slavery, not as a self-righteous, superior-minded man may loathe the crime of another, but because it tainted the life of his country and because he had the clearness of vision to foresee that the nation could not endure half slave and half free.

Every state in the Union can justly pride itself on a fair quota of distinguished citizens. But Kentucky produced "the first American" whose supreme thought was the nation.

Lincoln has been proclaimed as "the Great Emancipator." Intended as a tribute, that title has, perhaps, done more to prevent an intelligent appreciation of his services than any other myth for which misguided enthusiasm is responsible.

Lincoln was a factor—a very important factor—in rescuing the negro race from bondage. But he was not its emancipator—a statement which can be demonstrated by his own words and actions, supplemented by documentary proof.

His birthday should and surely some day will be honored in every part of the Union and not merely in twenty-seven of its states. The advent of that day, however, will not be hastened by exaggerations which he himself would most deplore. Nor will it arrive until

FOREWORD

the South recognizes that it had no better friend than Lincoln, not because he was, by birth and ancestry, allied to it, but because it was a part of the nation for which he lived and died. Certainly such recognition cannot be furthered by perpetuating the myth that he issued an edict that ended slavery. *He did nothing of the sort.*

True, he dedicated himself—heart and mind—to the extinction of human slavery. But he unwaveringly subordinated that object to the preservation of the Union; rejected all temptations to achieve it regardless of the rights of the slave-holding states; afforded them every chance which sound argument and fair treatment could suggest for abating, and finally abandoning the national evil, and only as a war measure to preserve the Union, resorted to the emancipation proclamation.

That famous document did not, as is popularly supposed, abolish slavery in the United States. On the contrary, it merely gave nominal freedom to slaves in certain of the seceded states. Of course, those who escaped from the carefully defined areas were manumitted. But to some of the territory included within their borders it had no application whatsoever. It did not touch and was not intended to affect the institution of slavery in any part of the Union recognizing the national authority or subjected to its control.

The proclamation did not free the bondmen. But it helped to emancipate the South from slavery, from

FOREWORD

which Lincoln aided the whole nation to emancipate itself.

Lincoln cared nothing for titles and would certainly not have coveted that of "the Emancipator." His policy, first and foremost, was to eradicate slavery, not by the exercise of any dictatorial power, but by constitutional action expressing the will of the people; and it was carried out in the form, if not in the spirit, in which he conceived it.

But the stain of slavery that rested on the land of his birth was really washed out, not by legislative labors, but by the blood of the thousands upon thousands of men—North and South—who gave their lives that the nation might have "a new birth of freedom"—a freedom purchased, not alone by blood, but by the sacrifices and sufferings of generations of Northern as well as Southern men and women throughout the Union.

That was what Lincoln meant when he declared that the whole nation would have to pay fairly for its complicity in a great wrong.

These pages are dedicated, first, to furthering a proper understanding of Lincoln as a *national* heritage; and, second, to clarifying his much misunderstood part in extinguishing slavery in the United States.

The writer hereby acknowledges his indebtedness to all the distinguished authorities who have enabled him to present the facts herein set forth with confidence

FOREWORD

that they fairly reflect the well-considered conclusions of modern scholarship. Whenever equally eminent historians differ, the writer has either covered the subject by original research or adopted that version which, in his judgment, is supported by the most convincing proofs.

A list of the main sources of information upon which reliance has been placed is appended.

FREDERICK TREVOR HILL

*The Farm,
Irvington on Hudson,
New York.*

CONTENTS

	PAGE
FOREWORD	vii
CHAPTER	
I. A FRONTIER EPISODE	1
II. A WILDERNESS FARM	4
III. DAWNING HOPES	8
IV. THE BOONVILLE COURT	12
V. EARNING A LIVING	18
VI. "A SORT OF CLERK"	23
VII. A CANDIDATE FOR THE ASSEMBLY	27
VIII. THE BLACK HAWK WAR	29
IX. ANOTHER CAMPAIGN	33
X. THE STOREKEEPER	36
XI. LAW STUDENT AND LEGISLATOR	42
XII. A SECOND CAMPAIGN	46
XIII. FIRST STAND ON SLAVERY	49
XIV. A NOTABLE OPPORTUNITY	52
XV. PLUNGING INTO PRACTICE	58
XVI. THE CHANCE OF A LIFETIME	64
XVII. A CONGRESSMAN OF COURAGE	70
XVIII. RIDING THE CIRCUIT	78
XIX. EXPERIENCE AND DEVELOPMENT	85

CONTENTS

CHAPTER	PAGE
XX. FAMOUS CASES	93
XXI. INTERRUPTION	103
XXII. THE GATHERING STORM	109
XXIII. THE REPUBLICAN PARTY	114
XXIV. THE CHALLENGE	120
XXV. THE DEBATES	127
XXVI. A FORTUNATE DEFEAT	134
XXVII. THE NOMINATION FOR THE PRESI- DENCY	140
XXVIII. THE PRESIDENT-ELECT	145
XXIX. INAUGURATED	150
XXX. ON THE VERGE OF WAR	153
XXXI. OPENING MOVES	158
XXXII. A TEST OF PATIENCE	166
XXXIII. RESISTING PRESSURE	176
XXXIV. THE EMANCIPATION PROCLAMA- TION	187
XXXV. THE AFTERMATH OF THE PROCLA- MATION	195
XXXVI. GETTYSBURG	203
XXXVII. BEHIND THE LINES	209
XXXVIII. GRANT IN COMMAND	218
XXXIX. THE DAWNING OF PEACE	229
XL. THE CLOSE OF HOSTILITIES	242
XLI. LINCOLN'S LAST DAY	248
XLII. A NATIONAL HERITAGE	252

CONTENTS

APPENDICES

	PAGE
I. FINAL EMANCIPATION PROCLAMATION, JANUARY 1, 1863	259
II. TRANSCRIPT OF DOCUMENTARY ILLUSTRATIONS WITH NOTES ON SAME	263
III. SECESSION DATES; DATES WHEN SLAVERY WAS ABOLISHED BY STATE LAW	269
IV. LINCOLN'S SLAVERY POLICY: CHRONOLOGY	271
AUTHORITIES	279
INDEX	281

ILLUSTRATIONS

Abraham Lincoln at about 35 . . .	<i>frontispiece</i>	
	PAGE	
Letter from Abraham Lincoln to Horace Greeley		75
Abraham Lincoln, 1860	<i>facing</i>	136
Abraham Lincoln, 1863	<i>facing</i>	190
First draft, in Lincoln's handwriting, of a bill for compensated emancipation of slaves in Delaware		199
Letter from Abraham Lincoln to A. H. Stephens		237
Abraham Lincoln, 1864	<i>facing</i>	256

CHAPTER I

A FRONTIER EPISODE

THE flood of immigration which rapidly transformed Kentucky from a wilderness into a thriving settlement began about 1782, and in that year Abraham Lincoln, the grandfather of "the first American," arrived in the future "blue grass state." Like many other farmers from Virginia he had been attracted to the newly discovered region by reports of the richness of its soil, and he lost no time in putting its virtues to the test.

He was not destined, however, to witness the results of his experiment, for while he was still endeavoring to clear his land of trees, a band of Indians, resenting the settlers' invasion of their hunting grounds, ambushed and shot him down in the presence of his three sons. Indeed, for a moment, his whole family was threatened with annihilation. But the two older boys fled to the family log cabin and after reaching it in safety one of them pluckily stole out to summon

help from the nearest stockade, leaving the other to protect the homestead.

Meanwhile the third boy, Thomas—a little lad of six—not realizing what was happening, had calmly seated himself beside his father's body, offering a perfect mark to the hidden savages. But the redskins, bent on securing the white man's scalp, evidently did not think it worth while to expend ball and powder on a child. In a few moments one of them stealthily emerged from the forest, creeping toward his victim and the unsuspecting youngster. But he never reached them, for the youth guarding the cabin, taking careful aim through a loophole at a silver crescent glistening against the Indian's body, shot him dead, and on the arrival of help from the stockade rescued Thomas from his perilous situation.

This adventure is all that is known of the childhood of the father of the future President. It is difficult to imagine how he survived the other dangers of the wilderness, but the pioneers were sturdy folk, and with good health and a rifle it was always possible to get enough to eat. Thomas Lincoln never did much more than that,

A FRONTIER EPISODE

being apparently quite satisfied to eke out a sort of hand-to-mouth existence in a happy-go-lucky way, without ever becoming dependent on others for his support. Of course, he had no education. But that did not handicap him with his neighbors, very few of whom knew how to read or write, and all of them were ready to employ him whenever he felt inclined to work, for laborers of any kind were scarce. For a while he took odd jobs with the farmers and gradually became the "hired man" of another pioneer from Virginia, whose niece, Nancy Hanks, he subsequently married.

CHAPTER II

A WILDERNESS FARM

THOMAS LINCOLN was about twenty-eight when he and his young wife started housekeeping. He was a carpenter by trade but a farmer by necessity, for he had never displayed any aptitude for carpentry and it was easier to scratch a living out of the ground than to persuade people to employ him as a skilled workman. His knowledge of agriculture, however, may be judged from the fact that whenever he selected a site for a farm he invariably made a poor choice. Certainly the tract of land which he acquired near Hodgenville in Hardin County in 1809 was about as hopeless a bit of property as existed anywhere in Kentucky. Possibly a man of industry and resourcefulness might have done something with it, but its possessor was not endowed with those qualities. On the contrary, he was so shiftless, if not actually lazy, that the cabin which served to shelter himself, his wife and their first-born—a daughter—was a wretched affair whose construction would have reflected no

A WILDERNESS FARM

credit on an ordinary woodsman, to say nothing of a carpenter. The character of that miserable dwelling—not much more than a hovel—was, however, in keeping with the unkempt, hungry-looking clearing which surrounded it. Indeed, the whole place was a desolate outpost of civilization, ill-chosen, ill-kept and generally comfortless.

Such were the conditions to which Abraham Lincoln was born on February 12, 1809. But cheerless as they seemed, there were some compensations. The poverty he shared was not degrading penury. Thriftless as his father was, he never, even in his direst need, resorted to charity, and his wife, better educated than most of the pioneer women, made a brave effort to inspire him with some ambition. She never succeeded in doing much more than teach him, after a fashion, how to read and write and make him see that there was some advantage in having his son attend a local school. The boy was then about seven years old, but his education had no sooner begun than it was interrupted by his father's decision to move to Indiana where he fancied there was better land. There may have been, but the

homestead he purchased near Gentryville in that state was no improvement on the one he had abandoned in Kentucky. In fact, it was worse, for the family had no shelter except a rough lean-to exposed to wind and weather and obtained nothing more substantial for many a long day thereafter. Moreover, the fields of the so-called farm, filled with stones and stumps, were scarcely worth cultivating. Yet, it was absolutely necessary to make them yield something, and Lincoln, although still a mere child, was put to work rooting and grubbing up the well-nigh barren ground. In fact, for the next three years he struggled with every sort of rough farm labor that a boy of his years could handle and had little or no time for anything else. Then something very like a pestilence swept through the region and his mother, weakened by toil and privation, was numbered among the many victims of the deadly scourge.

Mrs. Lincoln had never had either the time or the strength to do much more than touch the imagination of her son and give an impulse to his ambition. But short as her life was there is some reason for believing that the memory of

A WILDERNESS FARM

her self-sacrifice and unremitting work was at least a factor in influencing his character.

No clergyman could be procured to read the burial service and the widely scattered neighbors had troubles of their own, so Thomas Lincoln and his children buried their dead in the bleak fields near their desolate cabin.

It would be difficult to imagine a more cheerless prospect than that which confronted Lincoln at this period of his career. It was not only poverty, sickness and death that aged and saddened the motherless ten-year-old boy. The desperate loneliness of his life, its crazing monotony and the daily struggle for existence would have been bad enough had the future held some promise of relief. But there was no light in the horizon of the silent wilderness. Lincoln was an active, healthy, outdoors boy and he probably thought no more about the future than other normal children do. Nevertheless, the gloom of his surroundings and the ceaseless toil of his early years left their marks on his face and, inevitably, predisposed him to the melancholic tendencies against which he had to fight all the rest of his life.

CHAPTER III

DAWNING HOPES

ABOUT a year after Nancy Hanks Lincoln died, her husband married Mrs. Sarah Bush Johnson, a widow with two children of her own. From that moment the fortunes of the Lincoln family began to mend. The newcomer was a careful, competent and orderly housekeeper who speedily created some sort of comfort in the Gentryville farm. Moreover, her children provided companionship for Lincoln and his sister, and the stepmother took fully as much interest in her adopted family as she did in her own. Indeed, young Abraham appealed to her from the very start and, noting the dawning possibilities of his mind, she urged his father to send him to school. It was not easy to persuade Thomas Lincoln to give his son this opportunity, not because he was opposed to education, but because the boy had become a very useful farm hand, so useful indeed that he could be hired out to other farmers who needed extra

DAWNING HOPES

help in their fields. Mrs. Lincoln, however, managed to have him relieved from such drudgery on several occasions for a few weeks at a time and, though his entire schooling amounted in all, to less than a year, he unquestionably made the most of it. This does not mean that he was a brilliant or even a very studious youth. All such stories are, for the most part, nonsensical exaggerations. As he approached manhood he developed a decided taste for reading but at no time was he one of those rare scholars who assimilate information almost at a glance. On the contrary, his mind worked very slowly and whatever he learned was acquired solely by hard work. But every fact, once grasped, was retained. His stepmother quickly noted this and did everything possible to encourage him to keep studying in the long intervals between his school sessions. He needed no urging to follow her advice, and quite early in his teens read every book he could lay his hands on, worked out sums whenever he could secure writing materials, and, when they were unprocurable, utilized the wooden fire shovel as a slate and the poker as a pencil.

There was nothing particularly notable in the

list of books which Lincoln read. It included only such volumes as were ordinarily found in the homes of more or less educated pioneers. Some of them were interesting and some of them dull, but they were all new to Lincoln and he devoured them from cover to cover, at the noon rest hour in the fields, before the kitchen fire, in bed, and whenever he could snatch a moment's leisure. It is even said that he sometimes read while following the plow, but whether he did or not, it is certainly true that he worked three days at twenty-five cents a day for a farmer by the name of "Blue Nose" Crawford to compensate him for damage accidentally done to one of the books. It was in no angelic spirit that young Lincoln met this claim. He knew that the old man had exaggerated the damage in order to get something for nothing. Nevertheless, as the injured book was borrowed property, he preferred to overpay its close-fisted owner rather than owe him anything.

Among the mass of rubbishy anecdotes relating to Lincoln's early years, this is almost the only one that is unquestionably true. In the first place, it is characteristic; and in the second

DAWNING HOPE

place, it is confirmed by the fact that after the debt was paid he ridiculed the stingy farmer in doggerel verse just as any other high-spirited boy would be likely to do under similar circumstances.

Lincoln's early education was, however, by no means derived from the few books he borrowed from the neighbors and his occasional attendance at school. He probably learned almost as much by listening to the talk at Jones' store, which was Gentryville's forum, information bureau, political headquarters and community center. There he heard soap-box oratory and arguments galore; kept in touch with all the local gossip; read whatever newspapers reached the village and gained inside information as to public opinion on men and events. It was there too that he kept track of the movements of the circuit riders who were even then, subconsciously, formulating his career.

CHAPTER IV

THE BOONVILLE COURT

BOONVILLE was not the most important town in Indiana and it was fully fifteen miles from Jones' store, but the inhabitants of Gentryville moved there *en masse* whenever the circuit riders reached it on their rounds. Those riders consisted of the itinerant magistrate accompanied by a cavalcade of lawyers who practiced on his circuit. Neither the judge nor his escort were very imposing or learned members of their profession; nor were the courthouses where they assembled much more than log cabins. But everything that transpired within their walls supplied the surrounding communities with topics of conversation for many a month. The court was practically the lecture platform, the theater and center of government for all the countryside and provided about the only real intellectual stimulant which reached the pioneers. Its sessions were also occasions for market days and no able-bodied resident of Gentryville could afford to be absent. In fact, the fields were abandoned

THE BOONVILLE COURT

and work of every sort suspended during the great event. Men, women and children journeyed to the seat of justice on foot, on horseback and in any sort of vehicle, whole families making the trip together, either camping out in their wagons or picnicking in the groves.

It would have been surprising if Lincoln had failed to take advantage of the opportunity for enlarging his experience which the Boonville Court presented, and he rarely missed a session, sometimes getting a lift in his neighbors' wagons, but oftener covering the entire distance on foot.

All the primitive courthouses of Indiana have long since disappeared and no plans or sketches of them have been preserved. But very complete descriptions of their appearance and arrangements are on record, and it is quite possible to visualize the Boonville tribunal as it was in Lincoln's youth. Its size was about that of a double log cabin, with one door and perhaps two windows. In the rear of the main room there was usually erected a low platform made of rough planks supporting a table and settle for the accommodation of the judge and his clerk. Directly in front of this judicial throne stood a

rough, unbacked bench reserved for members of the bar, and behind it a long pole served as a railing to exclude the general public, which occupied improvised benches, sat on the floor, stood in the doorway and perched on the window sills. In the matter of dress there was nothing to distinguish the bench and the bar from the spectators. All wore fox or coon-skin caps, brown jeans or leather breeches, buckskin shirts, high boots or moccasins, and most of them carried hunting knives. Few of the young people wore either shoes or stockings and their elders frequently went unshod.

The court proceedings were, to say the least, quite informal. Jurors were selected by the sheriff from the local residents, but jury duty was apparently no more popular then than it is to-day and it was sometimes very difficult to secure a full panel. For instance, one of the earliest accounts of the backwoods courts of Indiana contains the following brief but vivid description of judicial informality and the methods employed for filling the jury box:

“As I entered the court room,” relates an eyewitness, “the judge was sitting on a block paring

THE BOONVILLE COURT

his toe nails when the sheriff entered out of breath and informed the court that he had six jurors tied up and his deputies were running down the others."

It is not strange that juries had to be procured by such methods in a region where almost every man had a personal acquaintance with his neighbors and every verdict was sure to offend somebody. In fact, the judge was frequently as shy as the jurors about arousing local enmities. At the close of one of the more famous cases tried in the primitive courts of Illinois, there is a record of a judge addressing the prisoner as follows:

"Mr. Green, the *jury* in their verdict say that you are guilty of murder and the *law* says you are to be hung. Now I want you and all your friends down on Indian Creek to know that it is not *I* who condemn you but the *jury* and the *law*."

It must not be inferred that because the court and its jurors took no unnecessary risks in administering justice that they were afraid to perform their duties. On the contrary, they fulfilled them quite fearlessly. For instance, in one case where a white man was charged with killing an

Indian he was promptly convicted, despite the deep-rooted prejudice among all the settlers against the savages; and in another case when a just verdict, entailing a well-deserved flogging, was appealed from on technical grounds, the court had the sentence carried out and then calmly announced that it was ready to listen to arguments for a new trial!

Moreover, order was maintained in those crude court rooms without fear or favor. On one occasion, according to the records, the presiding justice quelled a disturbance by jumping down from his platform and thrashing the offender with no loss of dignity and a considerable gain in prestige.

"I don't know what power the law gives me to maintain order in this court," he observed as he reascended the bench, "but I know very well the power God Almighty gave me."

Young Lincoln, peering through the windows of the cabin court room or crouching on its floor, missed nothing that transpired within its walls. The give-and-take between the witnesses and the lawyers, the arguments of the bench and bar, the crude oratory of the backwoods advocates, and the intense excitement of the spectators thrilled

THE BOONVILLE COURT

him to the core. For the first time the drama of life—comic, pathetic and tragic—rolled before him, firing his imagination and giving him an insight into human nature and human motives which he could not have otherwise acquired, except by hard and bitter experience. Perhaps, even then, he mentally matched himself against the circuit riders and dimly formulated the great ambition of his life. It is not necessary to imagine what his thoughts were at that period. He has left a record of them.

During one of its sessions he witnessed a murder trial in the Boonville Court. The prisoner was represented by a lawyer named Breckenridge—probably one of the family of jurists that later made their name famous in Kentucky. Breckenridge summed up so powerfully for his client that Lincoln sought out the advocate after the verdict and wrung his hand.

“I felt,” he told the old lawyer in the White House many years later, “that if I could ever make as good a speech as that my soul would be satisfied.”

Unquestionably, from that moment Lincoln dedicated himself, unalterably, to the law.

CHAPTER V

EARNING A LIVING

IT was not difficult to become a lawyer in Indiana. No examinations of any kind were required and the only qualification was that the applicant should be a man of good character. In fact, until within comparatively recent years there was, in this respect, no change in the law of that state. But for several reasons Lincoln could not take advantage of the situation. In the first place, he was not of age; and in the second place, it was much easier to be admitted to the profession than to earn a living by practicing it. Moreover, in 1830, his father again decided to seek better land and moved his whole family to a farm near Decatur, Illinois.

Lincoln was then in his twenty-first year, but had not quite reached his majority. He therefore felt bound to help in transferring his family and their belongings to Illinois and do what he could to establish them in their new home. The journey was made in an ox cart which was par-

EARNING A LIVING

tially loaded with a stock of "notions" which Lincoln had bought for a trifle and peddled to good advantage throughout the trip. Then came the building of another homestead and the fencing of the farm lands—tasks that required several months of hard labor—but by the time they were completed he felt free to shift for himself.

The quickest way to earn money was to hire himself out to the nearest farmers who were anxious to obtain his services, for he was a big, husky lad, nearly six feet four, possessing enormous strength, and had demonstrated, during his short residence in Decatur, that he could ply about as useful an ax as any one in the vicinity. Lincoln did not enjoy manual labor and was by no means one of those who love work for work's sake. In fact, he could, and occasionally did, "laze" through a job as well as any one else, but he always gave his employers a bit more than their money's worth. They certainly never overpaid him, for one of his first jobs was to split fence rails at the rate of four hundred rails for each yard of dyed brown jeans required to provide him with a decent pair of trousers. In fact, rail splitting was the work at which he excelled

during the first months of his independence, and he soon got enough of that back-breaking exercise to last him all the rest of his life, although it was destined to aid in popularizing him as perhaps nothing else did.

At the age of about seventeen he had acted for a time as a ferryman on Anderson's Creek near Gentryville, Indiana, an easy, lazy sort of job which gave him lots of leisure for reading, though not as much as he wanted. So when he met a man by the name of Denton Offut in New Salem who asked him to help in the building of a flat-bottom boat and serve as one of the crew to take her to New Orleans, he gladly accepted. It was not the chance of seeing New Orleans that attracted him, for he had been there several times during his teens, "working the front oars" of a small boat carrying produce from Gentryville. But constructing a big barge was new and interesting work and handling it down the Mississippi promised something in the line of an adventure. The promise was more than fulfilled, for two of the boat builders were nearly drowned and were saved by Lincoln after a third man almost lost his life in attempting to rescue them. That little

EARNING A LIVING

episode demonstrated that he could keep cool and act quickly in an emergency, and those qualities were soon subjected to another test, when the boat stranded on a Mississippi shoal so close to a dam that its bow hung over the edge and the cargo shifted. But Lincoln and his companion did not lose their heads. They calmly transferred the merchandise to another boat, righted their own, reloaded it and proceeded safely to their destination.

This venture into the world was important to Lincoln because it required him to stop for a month in New Orleans, giving him ample opportunity to see what was perhaps the worst phase of slavery. He had had an earlier glimpse of it on his trips from Gentryville, but on this occasion he watched the operation of a slave market where the negroes were handled by the slave traders with more brutality than even the most callous herder would have dared to employ with cattle.

Lincoln's face is said to have darkened with anger and, turning slowly to his companion, he muttered, "If ever I get a chance to hit that thing—I'll hit it and hit it hard!"

LINCOLN

There is reason to doubt if Lincoln used exactly those words, although they are repeated with more or less authority in numerous histories and biographies. But whether he uttered them or not, it is certain that they fairly express what must have passed through his mind as he watched the most degrading spectacle that ever shamed "the land of the free."

Almost no Virginians and comparatively few Southerners saw or knew anything of the slave market. A very large percentage of them rarely sold their slaves except as a punishment for criminal offenses, and slave traders were generally regarded with disgust throughout the South. It is safe to say that the most representative men from the Southern states would have been as shocked and as indignant as Lincoln, had they witnessed the vile traffic that he studied in the spring of 1831.

CHAPTER VI

"A SORT OF CLERK"

ON his return from New Orleans Lincoln became what he afterwards described as "a sort of clerk" for Offut. His employer intended to operate a grocery store and a mill, but at the time neither was built and there was no stock of goods on hand. Even when the store was eventually erected and the merchandise arrived, there were very few customers. Those who patronized it, however, were loud in their praises of the long-legged clerk. One of his admirers widely advertised the fact that he had taken a lot of trouble to rectify a trifling shortage due to an accidental error in the scales, and another told every one who would listen that Offut's clerk had walked three miles to return six cents given him by mistake. These and similar tales are said to have won him the nickname "Honest Abe," but it is highly probable that it was the Clary's Grove gang of boys that so christened him.

LINCOLN

Clary's Grove boasted about as tough a group of young men as were to be found anywhere in Sangamon County, and their idol, if not their leader, was one Jack Armstrong, whose major sport was wrestling. Lincoln had some reputation along that line and Clary's Grove could brook no rival. Armstrong was therefore urged to put Lincoln on his back at the earliest possible moment, and the champion lost no time in calling on the upstart from Indiana to receive a rough wrestling lesson in the presence of his peers. But when Armstrong came to grips with his intended victim he realized that his hour had come. Wrestling in those days was neither a science nor a sport, and anything but child's play. There were no rules and the main object of the opponents was to injure one another in every possible way by fair means or foul. It was altogether quite a fearsome sort of combat. Yet to Armstrong's amazement when the six-foot-four Lincoln, weighing two hundred and fourteen pounds, held him in a deadly grip and virtually had him at his mercy, he refrained from resorting to "dirty work" of any kind. Neither man threw the other and the match was declared a draw, but

“A SORT OF CLERK”

there was no doubt as to whom the mastery belonged. And this was soon acknowledged in unmistakable fashion, for at its very next session Lincoln found himself the captain of the Clary's Grove gang and long remained its leader. At cock fights, races, wrestling bouts and all sorts of sports he was thenceforth the accepted umpire whose word was law. There was no nonsense or sentimentality about the Clary's Grove crowd. They were not the sort of boys who would be greatly impressed by conscientious scruples about grocery scales or correct change. But they respected Lincoln's strength, found him fair and square and learned something about his way of "playing the game" that appealed to their imagination. Nicknames usually originate with boys, and "Honest Abe" is probably no exception to the rule.

It was not only with his own crowd that Lincoln became popular. The neighbors liked him because he always stood ready to lend a hand when they needed help and usually offered his assistance before it was asked. Nor did he care what sort of a job was in demand. He was game for anything from "roofing a barn to rocking a

LINCOLN

baby," and could be trusted to finish any task he undertook. The grocery-store crowd liked him because he was amusing company, could tell the sort of story they enjoyed, using any word "that wit could disinfect," knew how to make a stump speech that "talked down" visiting orators, and never hesitated to throw objectionable strangers out the door when actions rather than words were needed to uphold the village sense of decency. But perhaps, most of all, they liked his modesty. He never boasted, listened and talked well, seldom contradicted any one and knew how to ridicule those who took themselves too seriously.

Shortly after he first arrived in the village a local election board required the services of an assistant clerk. "Can you write?" inquired the schoolmaster, seeing Lincoln among the group at the polling booth. "Well," he drawled, "I can make a few rabbit tracks."

The records of that election were recorded in his "rabbit tracks" and they appeared in those of many another in the years that followed.

CHAPTER VII

A CANDIDATE FOR THE ASSEMBLY

PERHAPS it was his appointment as an election officer that first turned Lincoln's thoughts towards politics, though it is more probable that some of his friends and admirers in the Clary's Grove gang put the notion of running for office into his head. At all events, he announced himself as a Whig candidate for the Assembly in March, 1832. In those days any one who wanted to enter a contest for office could do so simply by announcing his candidacy and outlining to the voters the policies which he advocated. On this particular occasion there was no real issue between the Whigs and the Democrats, but local pride was looking for a champion to uphold its claim that the Sangamon River was or could be made a navigable stream, which, if demonstrated, would boom the whole neighborhood. Lincoln eagerly espoused this cause and prepared a long and careful argument to prove that the river could, at very little cost, be

LINCOLN

made an important highway of commerce. There were grounds to support this hope and a steamer called the *Talisman* was actually launched on the stream and safely piloted by Lincoln himself through its dangerous shallows. In later years, however, the scheme for enlarging the channel proved impractical and Lincoln's argument is of no particular interest, except that it plainly indicates that he had the faculty of presenting facts clearly without overstating them, and making a logical and convincing argument. This was no small achievement for a young man of twenty-three who had little or no educational advantages and was a comparative stranger in the community whose interests he championed.

Possibly he might have improved on his first and only brief for the dredging of the Sangamon River, but he never had a chance to revise it, for his campaign had scarcely begun before it was interrupted by the outbreak of what afterwards became known as "the Black Hawk War."

CHAPTER VIII

THE BLACK HAWK WAR

ANY Indian uprising was quite sufficient to arouse the frontier, but when the formidable Black Hawk tribe took to the war-path the authorities became so alarmed that the Governor of Illinois immediately issued a general call to arms. Under the existing law all men between the ages of eighteen and forty-five were liable for military service and were required to drill once a year or pay a fine of one dollar. But very few fines were collected as practically every one drilled. The training, however, must have been worse than useless, for it would be difficult to imagine more unsoldierly recruits than the sixteen hundred men that assembled at Beardstown in response to the governor's proclamation. They were, for the most part, farm hands, backwoodsmen, hunters and trappers, dressed in buckskins and brown jeans, shod in rawhides or moccasins, armed with flint-lock rifles or knives, and carrying powder horns slung over their shoulders.

LINCOLN

The company from Sangamon County was, perhaps, the toughest of that undisciplined mob and it promptly elected Lincoln as its captain, not because of his military knowledge, but because the Clary's Grove gang was well represented, or maybe because he was the most conspicuous man in the crowd by reason of his height.

The pioneers had only themselves to blame for Black Hawk against whose people they had practiced the grossest treachery. But once the redskins donned their war paint there was nothing to be done but meet them before they reached the settlements. The state government in no way underestimated the gravity of the situation, but the militia started out in a holiday spirit. They apparently had a high contempt for the enemy and those who had never seen an Indian were the loudest pot-valiants. Lincoln's company was no exception to the rule, and their captain was as ignorant of military discipline as his men. In fact, before the march started he had been reprimanded for firing his gun within the camp limits and is said to have been otherwise penalized because of the drunkenness of his com-

THE BLACK HAWK WAR

mand. As a matter of fact, he was powerless to control their conduct, for the men did not pay the slightest attention to his orders and regarded him merely as one of their gang. Bad as this was during the encampment, it became worse when "the army" started on its march. Even when they approached within striking distance of the enemy the men continued to whistle, sing and yell to one another, inviting ambush at every step, straggling as they pleased and skylarking at will. Lincoln had no idea of military formations or orders, but, if he had known how to give the commands, his men would not have understood them. When they reached a fence he simply told them to "fall out on this side and fall in on the other," which is probably what they would have done anyway. Once, however, he did enforce his authority, for an Indian messenger bearing a pass fell into the hands of his company who were bent on shooting him, pass or no pass. To order his release would not have saved him but when Lincoln took the prisoner under his personal protection, no one ventured to interfere. Possibly this episode, combined with good-natured comradeship, gave him a little more control of his

LINCOLN

men, but, in any event, the disastrous fate of the advance guard soon sobered them. That body, as noisy, undisciplined and poorly officered as the others, were suddenly confronted by Black Hawk's braves and those who survived the attack scampered from the scene of action as fast as their legs could carry them.

This was enough for the state authorities and, acting on the advice of the regular army officers whose troops were coöperating, the whole force was mustered out of service and dismissed to their homes. Lincoln, however, had no intention of accepting such a dishonorable discharge. He immediately enrolled as a private in a company of mounted rangers, into which he was mustered by Captain Robert Anderson of the United States Army.

Had any one prophesied to Captain Anderson that the raw-boned, long-legged cavalry scout that he inducted into the military service would some day be his chief in one of the greatest wars of the world, he probably would have been highly amused. But not more so than Lincoln.

CHAPTER IX

ANOTHER CAMPAIGN

WITHIN sixty days after Lincoln joined the rangers, Black Hawk was captured and his band dispersed. It had been a miserable little war provoked by the settlers and wholly discreditable to them. In fact, the only notable thing about it was the number of distinguished men who were directly or indirectly concerned in it. Among them were Zachary Taylor, the future President of the United States; General Winfield Scott, destined to become Chief of the United States Army; William Hamilton, a son of Alexander Hamilton; Jefferson Davis, the future President of the Confederacy, then a lieutenant in the United States Army; Nathan Boone, a son of Daniel Boone; Albert Sidney Johnson, who was to win fame as one of the ablest generals of the Confederacy; and many another with whom Lincoln was to be brought in contact during the coming years.

It was in no martial mood that Lincoln re-

turned to Sangamon County, trudging most of the way on foot and arriving late in the summer of his twenty-fourth year, tattered, weary and hungry, to continue his campaign for the Assembly. Probably it never occurred to him to appeal to the voters as a home-coming soldier. The war, to his mind, had been nothing but a sorry farce and he always treated it as such. A few years later, when some one sought to promote General Cass's interests by quoting his not too brilliant army record in the War of 1812, Lincoln ridiculed the effort by referring in Congress to his own military career.

Mr. Speaker [he began with great gravity], did you know that I was a military hero? Yes, sir. In the Black Hawk War I fought and bled and came away. . . . I was not at Stillman's defeat [the advance guard disaster], but I was about as near to it as Cass was to Hull's surrender and, like him, I saw the place very soon afterwards. It is quite certain that I did not break my sword, for I had none to break; but I bent my musket pretty badly on one occasion. If Cass broke his sword the idea is that he broke it in desperation; I bent the musket by accident. If General Cass went ahead of me in picking huckle-

ANOTHER CAMPAIGN

berries I guess I surpassed him in charges upon the wild onions. If he saw any live, fighting Indians it was more than I did, but I had a good many bloody struggles with the mosquitoes, and, although I never fainted from loss of blood, I was often very hungry. Mr. Speaker, . . . if our Democratic friends . . . take me up as their candidate for the Presidency, I protest they shall not make fun of me as they have General Cass by attempting to write me into a military hero.

Only a few days after he arrived at his hometown, the election took place when, for the first and only time in his career, Lincoln was defeated by popular vote. However, of New Salem's 208 ballots he received 205.

But although not elected to the Assembly, he had won a number of good friends in the brief campaign, among the most important of whom was Major John T. Stuart, a Springfield lawyer who had himself recently returned from the Black Hawk fiasco. Stuart encouraged him to study law, loaned him books and gave him the run of his office.

In November, 1832, Lincoln signed his first official document. It was a report as chief clerk of the fall elections.

CHAPTER X

THE STOREKEEPER

LINCOLN did not forget Major Stuart's advice about studying law, but it was necessary for him to earn a living at once and when an opportunity to go into the grocery business with William Berry occurred he immediately grasped it. On its face the venture was absurd. Neither man had any money, but that did not disturb them for in those days almost everything was bought and paid for with promissory notes. Nor did the fact that there were too many groceries in New Salem appall them. That difficulty was readily met by the simple process of purchasing three of the rival establishments with notes and combining them under the firm name of Berry & Lincoln. The only cash transaction the junior partner negotiated was the purchase of an old barrel from a peddler, for which he paid a dollar. But it proved to be the greatest bargain of his life, for in it he found a copy of Blackstone's *Commentaries*—the law

THE STOREKEEPER

classic upon which the education of many famous jurists has been based. From that moment the grocery business was forgotten except at meal hours. In fact, Berry & Lincoln were their own best customers, the former drinking and the latter eating up their stock in trade.

The junior partner was generally on hand when customers called, but they usually found him sprawled out on the counter reading law and not anxious to be disturbed. Sometimes, however, it was the poems of Burns or Shakespeare's plays which were absorbing his attention. But neither literature nor law was good for the grocery business, which slowly but surely began to "wink out."

Then a bit of luck came Lincoln's way, for he was appointed postmaster of the village, which brought him in a little money. The duties of this office were not very heavy. In fact, the postmaster had to be his own letter carrier, and the mail pouch was his hat. Meanwhile it was necessary to eat, and the stock of groceries had become exhausted. Lincoln therefore worked at times in the local mill and at times as a

LINCOLN

laborer for the farmers who did not appreciate his services too highly, for he made stump speeches to the other men which interested and amused them far more than their work.

At last, however, a suggestion came to him that sounded like the sort of job he wanted. John Calhoun, the county surveyor, finding himself in need of an assistant, offered Lincoln the post if he would study surveying. For a moment he hesitated to take it, fearing that Calhoun, a prominent Democrat, would require his political allegiance. But being reassured on this point, he abandoned his law books and with the aid of the local schoolmaster set to work on surveying, the rudiments of which he acquired in six weeks. This was all the training he had when he joined his chief in the field. It was not, however, until about a year later that he made his first independent survey dated January 14, 1834, within a month of his twenty-fifth birthday.

Meanwhile the grocery store had been forgotten by every one except the holders of Berry & Lincoln notes who had bought them for a song, and when Berry died they demanded full pay-

THE STOREKEEPER

ment from Lincoln. Of course, Berry left no property and his surviving partner had no assets except his surveying instruments and a horse and saddle bought with the savings from his official fees. Those were promptly seized and sold by the creditors, and as promptly bought in by Mr. John Short, one of Lincoln's staunchest friends, who loaned them to him and enabled him to continue at his work.

Local public opinion would have supported Lincoln had he repudiated the claims against him. Morally he was liable for only half of the notes and the speculators who owned them had probably bought them for a song without expecting to collect more than a small fraction of their face value. Most men, under such circumstances, would have bargained with the Shylocks and obtained a release at the cheapest possible price. But not one of Lincoln's character. He had signed his name to a promise to pay a definite sum of money, and pay it he would, cost what it might. And pay it he did, though it required nearly fifteen years of hard work and strict economy to cancel what he jokingly called "his national debt."

During 1834 his only income was his salary as postmaster and the three dollars a day paid him as deputy surveyor of the county, in which capacity his record was exceedingly good, for none of his surveys were ever found inaccurate.

Meanwhile another election for the State Assembly was approaching and he again announced himself as a candidate. This time nothing interfered with his campaign and he devoted every possible moment to canvassing the electors, speaking at all available meeting places, making the personal acquaintance of the voters, giving exhibitions of his strength at market assemblies, going into grain-cutting exhibitions and taking on all comers at rough-and-tumble wrestling. Such performances may seem a bit crude and undignified, but they were quite in accordance with the usual practice in those days when no vital political issues were at stake and candidates for local office were bound to prove themselves good mixers and virile men. Lincoln worked hard to be elected and expected to win, but the result when the ballots were counted in August, 1834,

THE STOREKEEPER

surprised him, for he obtained 208 out of the 211 votes cast in New Salem, and his total in the entire district surpassed that of any other successful candidate with one exception.

CHAPTER XI

LAW STUDENT AND LEGISLATOR

HIS election to the Assembly revived Lincoln's ambition for a legal career. During the preceding year or so he had read the books Major Stuart had recommended, familiarizing himself with the simpler forms of contracts, deeds and wills, and even drawn papers now and then for friendly neighbors. In fact, one of them in after years recalled that Lincoln once paused while working as a laborer in a field to draft a deed for him on a shingle.

It was about this time that he is said to have "done a little pettifogging" before Squire Bowling Green, the local justice of the peace at New Salem. Bowling Green was a rough and ready administrator of the law who had his own notions of how cases should be conducted, and relied far more on his personal acquaintance with the parties who appeared in his court than the testimony they gave. In one case, concerning the disputed ownership of a hog, he is reported to have heard

LAW STUDENT AND LEGISLATOR

the witnesses on both sides and then recorded his opinion that "the plaintiff's witnesses were damned liars, the court being well acquainted with the shoat in question and knowing it to belong to Jack Kelso."

Of course, the business handled by such a court was of trifling importance, but it included almost everything from petty crimes to cow cases, and doubtless Lincoln obtained his first experience as an advocate by appearing for litigants before its eccentric magistrate who, with other New Salemites, has passed into the pages of history solely because, at one time or another, he had some slight association with the future President.

Many famous men have suffered from misguided efforts on the part of their admirers to make them appear as heroes rather than human beings. Lincoln has frequently been misrepresented in this way. For instance, it has been said that he was so generous that he went about doing good to the New Salemites by giving them the benefit of his legal services free of charge. Doubtless he acted gratuitously, but it is absurd to assert that he did so from lofty motives. He was, at best, merely a law student, not yet ad-

mitted to the bar, and only too glad to have anything on which to try his 'prentice hand. Moreover, he needed every penny he could honestly earn and had any one thought his services worth remuneration he would have been glad to take it, had it been legally possible to do so. But of course, it was not, for the Illinois statutes absolutely forbade the collection of law fees by unlicensed persons.

His pay as an assemblyman was three dollars a day, exactly what he had been receiving as a deputy surveyor, so that his financial situation was not improved when he reported at Vandalia, the state capital, as a member of the Legislature on December 1, 1834.

The new member from Sangamon County was not the sort of man that pushes his way into the limelight the moment he treads the public stage. Always slow to act until sure of what he was doing, he attempted nothing except a few motions of no importance during his first terms as an assemblyman. Probably much of his time was spent in making the acquaintance of his fellow members. For the most part they were young and untried like himself—pioneers from

LAW STUDENT AND LEGISLATOR

the fields and forests, wearing their brown jeans and buckskins proudly, and here and there sporting the coon or fox-skin cap of the disappearing wilderness.

Unquestionably the most notable event of his first year in office was Lincoln's introduction to a dark-haired, stocky youngster of twenty-one busily pressing his claims for the post of state's attorney. He had only recently become a resident of Illinois where he had arrived from Vermont with only thirty-nine cents in his pocket. But he had soon hung out his shingle as an attorney with all the aplomb of an experienced practitioner. Self-assurance was a quality which Lincoln lacked, and, perhaps for that reason, he may have studied the youthful, self-proclaimed candidate for state's attorney with more than ordinary interest. Certainly it was fortunate that he met that ambitious youngster at the very outset of his career, for Stephen A. Douglas and he were destined to battle fiercely, shaking the very foundations of the national government.

CHAPTER XII

A SECOND CAMPAIGN

IN the spring of 1835 Lincoln returned to his surveying work, not much encouraged by his legislative experience, but more determined than ever upon a legal career. He was then twenty-six years of age, practically penniless and without any immediate prospect of bettering his fortunes. Nevertheless, it was at this time that he became engaged to Anne Rutledge, a charming young girl whom he had courted for almost three years. But the happiness this brought into his life was soon dispelled, for within a few months of their betrothal his fiancée died and Lincoln sank into a despondency from which he could barely rouse himself to attend the extra session of the Legislature scheduled for the coming winter. Fortunately there was no business before the Assembly calling for energetic action on his part, the main purpose of the chamber being to pass a bill increasing the number of its members to represent the rapidly mounting

A SECOND CAMPAIGN

population of the state. With the enactment of this law Lincoln's term of office expired and he immediately announced himself as a candidate for reëlection.

The canvass of the voters that followed did not seriously interfere with his work as a surveyor, and his steadily increasing preparations for the bar to which he was duly admitted as a practitioner in March, 1836. In fact, the whole campaign was a very friendly affair, the rival candidates traveling together through the county and speaking from the same platform until one of them made a public announcement that he was in possession of certain facts regarding Lincoln which, if known, would dispose of him as a candidate, but that he could not divulge them because of his strong personal friendship for his opponent. This veiled attack proved a fatal boomerang to its author, for Lincoln instantly published an open letter to his adversary, waiving any claims he might be supposed to have as an alleged friend and insisting that his accuser conceal nothing; otherwise he himself would be a traitor to the people and utterly unfit for office. To this sharp counter attack no response

LINCOLN

was made and, perhaps to show their confidence in him, Lincoln's friends raised a fund of two hundred dollars to pay his traveling expenses. At the close of the campaign he returned \$199.25 to the donors, expressing his appreciation of their thoughtfulness, but assuring them that his entire expenditure had been only seventy-five cents. In August, 1836, when the ballots were counted, Lincoln headed the poll.

The successful candidates from Sangamon County at this election became known as "the Long Nine." Each of them was over six feet tall, their combined height being fifty-five feet, of which Lincoln contributed nearly three inches more than the average.

CHAPTER XIII

FIRST STAND ON SLAVERY

THERE has been some confusion among historians and biographers as to the date at which Lincoln became a lawyer. But the records still existing in the Circuit Court of Sangamon County admit of no doubt that it was on March 24, 1836, by order of the Hon. Stephen T. Logan, Presiding Justice, that Abraham Lincoln was certified as "a person of good moral character and duly admitted as a practitioner of law." It would be interesting to know the identity of the two persons who vouched for Lincoln's character, but after a long and exhaustive search of the records the writer is convinced that the certificate, if there ever was one, is not in existence.

Lincoln was then in his twenty-eighth year and his dawning ability had full play at the next session of the Legislature, where he was assigned to a number of important committees and entrusted with the bill removing the state capital

from Vandalia to Springfield—a measure which aroused local jealousies and no little hard feeling, but was triumphantly carried.

It was not this successful demonstration of leadership, however, that attracted most attention to the head man of “the Long Nine.” Toward the close of the session a resolution was introduced condemning abolition societies and their doctrines, and proclaiming, among other things, “that the right of property in slaves is sacred to the slave-holding states” and that the Federal Government could not abolish slavery in the District of Columbia against the consent of its citizens without a manifest breach of good faith.

This resolution passed both houses of the Legislature, but Lincoln voted with the minority. He did more. He circulated among his colleagues a very conservatively worded written protest against it which all, save one, of his associates refused to sign. Lincoln and Daniel Stone, however, put their signatures to the paper and filed it for record.

It was not because he approved of the Abolitionist activities or because he doubted that slav-

FIRST STAND ON SLAVERY

ery was legal under the Constitution that he took this stand. On the contrary, his protest recited that although its signers believed the institution of slavery to be founded on both injustice and bad policy, the abolition doctrines tended to increase rather than abate its evils; and that while they believed that Congress had no right to interfere with slavery in the states, it had the power to abolish it in the District of Columbia, although that power, they thought, ought not to be exercised unless the people of the District so requested.

Mild as this pronouncement seems it required courage for Lincoln to formulate and sign it. He was at the very threshold of his political and professional career and knew that a protest of this kind would make enemies at a time when he most needed friends. Indeed, public as well as political opinion in Illinois was strongly opposed to raising the slavery issue, and those who did so were regarded as trouble-makers.

It is interesting to note, however, that Lincoln, sometimes referred to as "the great Abolitionist," was not one in 1837, nor did he ever approve of the Abolition movement.

CHAPTER XIV

A NOTABLE OPPORTUNITY

THE Illinois Legislature which closed its session in March, 1837, was one of the most remarkable governmental bodies ever assembled under one roof in the history of America. It included a future President, a future candidate for the presidency, six future United States senators, eight future Congressmen, a Secretary of the Interior, and three future jurists of high distinction. It would have been significant if the rail-splitting representative from New Salem had merely held his own in such company. But he had done more and become, for better or worse, a marked man.

Major John Stuart, who had been Lincoln's guide, philosopher and friend in the matter of his legal education, invited his protégé to share his office when he moved to Springfield at the close of the legislative session, and almost immediately followed this up by offering him a partnership. Indeed, within three days of his arrival

A NOTABLE OPPORTUNITY

a law shingle announcing the formation of the firm of Stuart & Lincoln hung outside Stuart's office. Of course, the senior partner was aware that his junior knew very little law. Yet he had seen enough of him to be certain that he was honest, reliable and ambitious to succeed, and more than enough to assure him that he was a coming man in public life.

It was not altogether because of his promising qualities that Stuart offered Lincoln this great opportunity. He had been in practice for many years and had worked up a quite extended, but not very lucrative, clientage. But at the time he made Lincoln his associate he had become far more interested in politics than in law, and having just emerged from a hot campaign for Congress, in which he had met defeat, was anxious to devote most of his time to assuring success at the next election. He certainly needed to make careful preparation, for his opponent proved to be Stephen A. Douglas, the young man who, at twenty-one, had sought the office of state's attorney.

Stuart & Lincoln's office in Springfield was somewhat primitive. It consisted of one room,

directly under the quarters of the county court, sparsely furnished with a bed, a lounge, a rough table, a chair or two, and a few books. No law library was essential for the practice of the profession in Springfield at that period, for the town had only fifteen hundred inhabitants, the State House had not been erected and the Legislature convened in a church. The only qualifications for an office practice were a general acquaintance with legal forms, some common sense and a fair knowledge of human nature. Practice on the circuit required a good deal more than this, but circuit work was not to be entrusted to Lincoln for some time. His immediate duties were to keep the firm's accounts, interview clients and copy all law papers. In these days of stenographers and typewriters it is difficult to realize the enormous amount of drudgery in maintaining even a primitive legal practice when every paper had to be copied, and perhaps duplicated and triplicated, again and again. Few lawyers employed office assistants, as clerical work always devolved on junior partners, and Lincoln's main duty during the first part of his association with Stuart was that of a law scrivener, which kept

A NOTABLE OPPORTUNITY

him fairly busy all day long. The handling of the ledgers was no great burden, although they had to record the sometimes complicated bargains made with clients. One of the still existing entries in Stuart & Lincoln's bill book of 1837 shows that, of a fifty-dollar fee, fifteen were paid by "a coat given to Stuart," and similar notations appear in Lincoln's handwriting. All of which demonstrates that lawyers in those days were not above measuring the value of their professional services in the terms of trade.

Lincoln's duties did not interfere with his activities in the Whig party. He attended all its meetings and most of his evenings were spent in Speed's store—the general forum of local debate. In fact, he lived, for a while, over this store but, as time wore on, he stayed all night as well as all day at the office and studied increasingly as Stuart gave him more responsibility in the management of the firm's affairs. It was well that the senior partner did so, for his Congressional contest against Douglas gave him very little time to attend to law business, and his victory, by a few votes, soon transferred his activities to Washington. It then became neces-

sary for Lincoln to handle the circuit as well as the office work and, although he had had some little experience in court before Stuart became a Congressman, he was practically a novice. Moreover, his first efforts to represent the firm as a trial lawyer had not been encouraging. On one occasion Stuart sent him to a client by the name of Baddeley with a letter of introduction advising him that Lincoln would handle a jury case which the firm had undertaken and that he could be confident that the junior partner would present it to the court in a satisfactory manner.

Baddeley gazed at the bearer of this note with amazement and indignation. He appeared to be a country bumpkin of the rawest possible type, awkward, ungainly and, worst of all, shy. His homespun clothes, of which the coat was too large and the trousers too short, gave a comic touch to his obvious rusticity, his whole appearance inviting not confidence, but laughter. That a reputable attorney should attempt to palm off such a figure of fun on a client seemed an insult to Baddeley and a breach of good faith. The result was that he promptly retained other lawyers

A NOTABLE OPPORTUNITY

and informed Stuart's deputy that his services would not be required.

In later years the disgusted client became one of Lincoln's greatest admirers, but his unflattering verdict at their first meeting did not discourage the young advocate's hope of a more favorable reception at the hands of the circuit jurors.

CHAPTER XV

PLUNGING INTO PRACTICE

IT was probably fortunate for Lincoln that Stuart virtually retired from practice soon after the formation of their partnership, for it threw him entirely on his own resources and forced him to plunge into trial work—sink or swim. Possibly the older man could have given his young associate an easier initiation, but it is very questionable whether the start would have been in the right direction. Stuart was not a well-read or industrious lawyer and the last man in the world to impress any one with the value of system and order in a law office. Perhaps no one could have made Lincoln into a neat and tidy legal practitioner of the solicitor type. He was naturally indifferent to details and careless about everything which enters into good organization. In fact, the nearest he ever came to evolving any plan for the care of his papers was to procure a box labeled, "When you can't find it anywhere else, look in here."

PLUNGING INTO PRACTICE

Had he been under the guidance of a business-like attorney he might possibly have seen the advantage of systematizing his work. But Stuart had no ideas of his own on such matters and Lincoln never originated any for himself. In other respects his isolation proved altogether fortunate. Left to his own devices his mind began to develop along independent lines in the lonely Springfield office. There were, in those days, very few established precedents in Illinois and comparatively few law books. In a way, this was no disadvantage, for as a cynical but witty and distinguished New York jurist once said, "I avoid reading law lest it impair my sense of justice."

Forced by sheer necessity to puzzle out his legal problems for himself, Lincoln sought to discover, not what others thought, but what he himself concluded. According to his own statement, it irritated him as a boy when any one made a statement which he could not understand and he was never satisfied until he could discover its meaning and, to use his own words, "bound every thought north, south, east and west." His mind, he asserted, was like a piece of steel, very hard to

scratch but every mark made upon it became indelible.

From working things out in his own mind he acquired the invaluable habit of seeking the high point in each case, eliminating all side issues and concentrating upon the one on which he judged the cause depended. It is very rarely that any legal problem, no matter how complicated, has more than one real issue. The difficulty is to find and so present it that the court and jury—especially a jury—will not be diverted by minor considerations. Lincoln developed a positive genius for detecting the dominating point of law or the salient fact in each case and never losing track of it for an instant or permitting any one else to obscure it. Unquestionably he first began to cultivate this gift during the lonely hours he spent in Stuart's office and it assured his success as a court lawyer long before he even dreamed that he would some day have to handle the most tangled and intricate questions ever submitted to a statesman.

Lincoln would have had quite enough to occupy him had he merely been responsible for conducting the business of his law firm. But he

PLUNGING INTO PRACTICE

was, meanwhile, twice elected to the Assembly and made a member of the Springfield Board of Trustees, which at times involved highly important duties.

In 1839 a company of actors arrived at the capital where they intended to erect a temporary theater and give a series of plays. At that moment, however, there was a religious revival going on in the city and its sponsors, not welcoming the advent of the "godless" players, managed in some way to have the authorities impose a prohibitive license fee on their performance. Among the traveling barnstormers was the famous Joseph Jefferson, destined to be known to several generations as "Rip Van Winkle." Jefferson was then not much more than a child playing under his father's guidance, but he records the fact that when the company had been virtually refused permission to perform, a young lawyer called on the manager and stated that if the whole matter were left in his hands he would undertake to get the license fee canceled without cost. Naturally his offer was eagerly accepted and the actors accompanied him to the State House, where he argued and joked the Board of

Trustees into revoking the obnoxious ordinance. Mr. Jefferson, of course, erred in thinking that Lincoln, on this occasion, acted as a lawyer. It was undoubtedly in his capacity as a member of the Town Board that he befriended the players, but the distinguished comedian was unquestionably correct in stating that he kept the council room in a roar of laughter while ridiculing the trustees for their exclusion of "unholy" players from the sacred precincts of Springfield.

Not the least of his extraneous duties was Lincoln's constant correspondence with Stuart during the sessions of Congress. He kept his partner in close touch with all the political news of the district and advised him as to public opinion on local and national issues. It is difficult at this day to note any very vital difference between the policies of the Whig party, to which Stuart and Lincoln belonged, and that of its rival, the Democratic organization. But it was of the highest possible importance for the absent Congressman to know what his constituents were thinking about, and if Lincoln did not bring much new law business to his partner, he proved invaluable as a political agent.

PLUNGING INTO PRACTICE

Lincoln's record in the Legislature was not particularly notable during his partnership with Stuart; nor did he make much more than a bare living. What his exact earnings were is not known, but they were enough to enable him to reduce his "national debt," and, what was far more important, he made a favorable impression on his fellow practitioners at the bar. So favorable that in 1841, when he was thirty-two years of age, ex-Judge Stephen Logan, who had signed the order for his admission to the profession, offered him a partnership.

CHAPTER XVI

THE CHANCE OF A LIFETIME

IT was a great opportunity that Logan offered to the struggling young attorney. But it had not come to Lincoln by luck. He had earned the chance. The Judge, who had retired from the bench in 1837, was unquestionably one of the leading lawyers, if not the leading lawyer, of Illinois at the date of the formation of the firm of Logan & Lincoln. He specialized in jury trials and his name appears more frequently than that of any other lawyer in the appeal records of his day. In fact, he represented one side or the other of almost every important litigation in Illinois.

Certainly it was not because he needed assistance in building up a practice that he chose Lincoln as his associate. He wanted a young man who had brains enough to give promise of becoming a lawyer of distinction, and he had a rare gift for picking able assistants. No less than four future United States senators and three

THE CHANCE OF A LIFETIME

future governors of states were educated in his office, and when he selected Lincoln he had the whole Illinois bar to choose from, for no lawyer would have hesitated to become his associate. As to Lincoln's aptitude for the law, he had some first-hand information, because, within the past few years, he had encountered him many times in the courts and in 1839 had argued three appeals against him, in all of which Lincoln succeeded.

Major Stuart, the sort of lawyer who takes his duties very lightly, would have been satisfied with any conscientious associate, even if his knowledge of law were slight. But Logan was an entirely different type, being well read, highly industrious, devoted to his profession and by no means indifferent to money. He not only had much more method than Stuart in the management of his office and in systematizing his work, but also far more education, being, first and foremost, a student, who knew not only how to acquire, but how to impart a knowledge of the law. From the very inception of their partnership he began to train his new associate in all that enters into the making of a high-class jurist, and

under his tutelage Lincoln soon began to take rank among the foremost trial counsel in his state.

The two men made an almost ideal legal combination. Logan had the law at his fingers' ends while Lincoln knew how to present facts so that the juries could understand them, and in time became almost equally effective with the judges. During the December term of 1841 he argued fourteen appeals and won all but four, and in 1842 and 1843 the firm may fairly be said to have monopolized the best business transacted in the courts of Illinois.

For the first time in his life Lincoln began to earn more than a bare living, and in November, 1842, he married Miss Mary Todd, a Kentucky girl of good family for whose hand, curiously enough, Stephen A. Douglas had been an ardent suitor. But this period of his life, which should have been his happiest, witnessed what were, perhaps, its most despondent moments. All ambition for a political career apparently left him; he grew morbid about his health; was beset with doubts concerning his impending marriage; de-

THE CHANCE OF A LIFETIME

clined a further nomination for the Assembly; suppressed a movement among his friends to propose his name for the governorship of Illinois, and felt sorely disappointed when his ambition to enter Congress was defeated by something very like trickery in the ranks of his own party. Nevertheless, he did not hesitate to sacrifice his own chances for the office when he saw that by so doing he could break up a little conspiracy that had been formed by self-serving politicians, and thus assure the success of one of his friends. Although there is no positive proof that Edward Baker, the successful candidate, agreed with his closest rivals—Hardin and Lincoln—that each of them, in turn, should have the Congressional nomination in the following years, it is a fact that Hardin succeeded Baker at the end of one year, and Lincoln became the nominee in 1846.

In the meantime the partnership of Logan & Lincoln came to an end. Just when they parted company is uncertain, but it was probably in 1844. No particular cause can be assigned for the separation, except that Lincoln, under Logan's coaching, had made enormous strides in his

LINCOLN

career and somewhat outgrown his instructor. It had been a wonderful educational experience for the junior partner, but at the end of three years he no longer felt the need of guidance and formed the firm of Lincoln & Herndon, with William H. Herndon, then quite a youngster, in the junior rôle.

Two years later Lincoln was nominated for Congress, easily defeated his opponent, Peter Cartwright, a Methodist preacher, and started for Washington in November, 1847, as the duly elected representative of his district.

To the Congressional Directory, which provides the average newcomer in Congress with an opportunity to spread the full record of his achievements and qualities with no shrinking modesty before the waiting world, Lincoln gave the following "life story":

Born February 12, 1809, in Hardin County, Kentucky.

Education—defective.

Profession—a lawyer.

Have been a captain of volunteers in Black Hawk War.

Postmaster at a very small office.

THE CHANCE OF A LIFETIME

Four times a member of the Illinois legislature and a member of the lower house of Congress.

There was no overstatement in those forty-six words.

CHAPTER XVII

A CONGRESSMAN OF COURAGE

IF Lincoln's friends expected him to distinguish himself in the National Legislature—and they did not hesitate to so advise him—they were doomed to bitter disappointment.

He had entered Congress shortly after the declaration of war against Mexico while the country glowed with enthusiasm over the triumphal progress of the army. Popular opinion demanded that criticism of the government be suspended during hostilities, especially in regard to the policy of the administration toward the republic with which the United States was at war. Anything less than this was popularly regarded as giving "aid and comfort to the enemy."

But Lincoln, regarding the war as more or less of a conspiracy to extend slavery in the United States, refused to give even silent encouragement to what he considered a dangerous national tendency. The facts were plain and he was entirely familiar with them. In 1840

A CONGRESSMAN OF COURAGE

Texas had revolted against Mexico and had secured, by force of arms, a treaty from Santa Anna, the Mexican general, stipulating that certain described territory should be regarded as that of the independent Texan republic. But this treaty, signed by Santa Anna while a prisoner and in fear of his life, had been repudiated by Mexico at the earliest possible moment and the hostilities it had supposedly terminated were resumed.

With its boundary lines still in dispute, Texas applied for admission to the Union and the advocates of slavery welcomed it with open arms. They needed new territory, and needed it badly, for the admission of free states into the Union had been rapidly cutting down their majority in both houses of Congress, and unless something were done it was certain that the control of the government would soon pass into other hands. In fact, the free state representation in both the Senate and the House was already formidable and, although still an unorganized minority, its susceptibilities had to be carefully considered. For that reason the act admitting Texas to the Union provided that while it might be di-

vided into any number of states, slavery should be absolutely prohibited in all of them that lay north of 36 degrees 30 minutes (the Missouri Compromise line), but in those that lay to the south slavery might or might not be permitted, as their constitutions should provide.

Those clauses were, of course, intended as sop to the free state enthusiasts, but as no land claimed by Texas lay north of 36 degrees 30 minutes, the intention to create new slave states should have been apparent to even the most innocent beholder. It was equally obvious that the more territory Texas claimed the greater would be the number of new states into which it could be carved. That the pro-slavery advocates could pass such a law demonstrated their power. And pass it they did. Texas was, therefore, admitted to the Union and the army sent to take possession of the territory to which it asserted ownership under the repudiated Santa Anna treaty. The clash with Mexico followed.

President Polk had repeatedly alluded in his Congressional war messages "to the Mexican invasion of *our* territory and the blood of *our* fellow citizens shed on *our* soil."

A CONGRESSMAN OF COURAGE

This seemed absurd to Lincoln and almost his first official act was to introduce a series of resolutions requesting the President to locate the particular "spot" which had been invaded and on which the blood of our citizens had been shed. Of course every one knew that "the spot" in question lay well within the territory which Mexico insisted was no part of Texas. But Lincoln framed his questions, which afterward became known as the "Spot Resolutions," in such a fashion as to force the administration to admit either that "the spot" lay beyond the proper boundaries of Texas or that it did not know whether it lay within or without the limits of the new state. Each question was framed with consummate legal skill, but all of them were worded with such sly humor that they raised a laugh at the expense of the administration. Probably that was all the new Congressman hoped to accomplish, and his resolution never came to a vote.

Lincoln, however, speedily heard from it in no uncertain fashion. Friends and foes alike, and especially the politicians, condemned it as an attempt to discredit the country before the world

and embarrass its army in the field. But Lincoln refused to be intimidated. He would, he assured his friends, support the troops who were obeying orders and were not responsible for the war, but would not stultify his conscience by approving the war itself, which he sincerely believed to be unnecessary, unjust, and dangerous to the future welfare of the nation.

This answer by no means satisfied his constituents, some of whom sadly shook their heads, believing that his unpopular stand had ended his public career. He probably agreed with them, for when the country is not in a mood for joking true words spoken in jest sound false. He therefore made a serious attack on the pro-slavery forces by introducing a bill for the abolition of slavery within the District of Columbia on proper compensation to slave owners within the District. If such a measure passed it might, he thought, create a precedent for the abolition of slavery by compensation, and once that became popular the whole institution would be doomed.

The danger was critical and no one realized it more keenly than the political agents of the so-called cotton belt. They were well aware that

Private

Executive Mansion,

Washington, March 24, 1862

Hon. Horace Greeley

My dear Sir:

Your very kind letter of the 16th to Mr. Lofgren, has been shown me by him. I am grateful for the generous sentiments and purposes expressed in the administration. Of course I am anxious to see the policy proposed in the late special message go forward, but you have advocated it for the first, so that I need to say little to you on the subject. If I were to suggest anything it would be that as the North are already for the measure, we should urge it permanently and not temporarily, upon the South. I am a little uneasy about the establishment of slavery in the District, not but I would be glad to see it abolished, but as to the time and manner of doing so. If some one, of the broad plate would now fit, I should greatly prefer it, but if this can not be in a peaceable time, I would like the bill to have the three main features—gradual—compensation—and vote of the people—I do not hate to number of Congress on the subject, except when they are no. I am not prepared to make any suggestion about Confederation—I may drop you a line hereafter.

Yours truly
A. Lincoln

LETTER FROM ABRAHAM LINCOLN TO HORACE GREELEY

From the original in The Pierpont Morgan Library

LINCOLN

several Southern states might support Lincoln's bill, and if it ever came to a vote it would probably be passed. The only way to avoid any such risk was to strangle it in committee, which they succeeded in doing. Thus Lincoln missed his first real blow at slavery. But he lived to see almost that identical bill become a law bearing his signature as President of the United States.

Lincoln's term of office expired on March 4, 1849. He was then tentatively offered the Government Land Office Commissionership in Illinois, to which one of his friends aspired. He therefore declined it, and by the time he learned that his friend had withdrawn, the appointment had been conferred on another man. He was subsequently offered the governorship of Oregon, but refused to consider moving his family into such a wilderness. In fact, he had become more or less wedded to Springfield and a flattering offer of a law partnership from Mr. Grant Goodrich did not induce him to try his fortunes in Chicago. Goodrich had a well-established and lucrative practice, and from a financial standpoint it would probably have been wise to accept his invitation. But

A CONGRESSMAN OF COURAGE

Lincoln felt unwilling to change his home surroundings, and perhaps sacrifice his independence, merely for the sake of money. All he wanted was enough to meet his expenses which he believed he could earn, in view of the fact that the debts which had been handicapping him for nearly fifteen years had, at last, been fully paid.

It was, however, no easy task that confronted him. His term in Congress had not enhanced his reputation and had cost him most of his law practice. Yet he had to provide not only for his wife and children, but also for his parents and one of his half-brothers, all of whom had become entirely dependent on his support. Under such circumstances he decided to retire absolutely from public life and devote himself exclusively to his profession. It was not without a pang that he renounced his political ambitions, but he lost no time in bewailing the necessity, and within a few weeks began rebuilding his practice. But on entirely new lines.

CHAPTER XVIII

RIDING THE CIRCUIT

BETWEEN 1849 and 1854 Lincoln realized to the full his earliest ambition, for between those years he became the most active of the circuit riders whose cavalcades he had regarded with admiration and awe in the days of the Boonville Court. Of course he had had a taste of this life during his partnership with Major Stuart, and throughout the association with Judge Logan his experience had been considerably enlarged. But it was not until his return from Washington that he determined to specialize in trial work and began earnestly preparing himself for the duties of an advocate.

The firm of Lincoln & Herndon still existed, but from a financial standpoint it had almost ceased to function. The junior partner was not a well-trained lawyer, had only modest legal ability, and practically no clientage. But Lincoln liked him and, knowing his ways, preferred to continue the partnership rather than

RIDING THE CIRCUIT

form a new one with an abler man who might not be willing to do all the office work, leaving his associate free to travel the circuit six months of the year. The question of clientage did not trouble Lincoln at all. He had no intention of seeking personal clients, having fully determined to rely mainly on trial work for other lawyers throughout the fourteen counties of the Eighth Judicial Circuit—an enormous territory not covered in its entirety by any other member of the bar.

Lincoln had made his first tours of the circuit on horseback, carrying saddle-bags filled with books and papers, very much like those used in the early days of the Boonville legal cavalry. By 1850, however, it had become practical for the bench and bar to travel in carriages. Sometimes the judge drove alone in his buggy, but more often shared it with one of his retinue, while the other members of the legal family followed in all sorts of conveyances, the occupants usually clubbing together in their ownership or chartering of the vehicles.

The inn accommodations were ordinarily conspicuous by the absence of everything in the line

LINCOLN

of comfort. It was but rarely that a circuit town boasted more than one tavern and its limited quarters were apt to be crowded with litigants and witnesses long before the law fraternity arrived on the scene. One room was always reserved for the judge, but the lawyers had to shift for themselves, frequently occupying beds improvised out of tables or benches, or sleeping on the floor if unwilling to bunk in the stables. Nor was the food much better than the housing accommodations. In fact, life on the circuit entailed discomfort, if not actual hardship. Yet those who followed the court soon became accustomed to the rough conditions and accepted them more or less philosophically. Indeed, as a whole, the traveling bar—a cheerful, easy-going company—undoubtedly derived more pleasure from the practice of their profession than modern lawyers do, and far more real fellowship prevailed among them than exists to-day. No one submitted to the discomforts more uncomplainingly or good-naturedly than Lincoln. With all its disadvantages he loved the life and never worried about his surroundings or tried to secure comfortable quarters at the expense of his

RIDING THE CIRCUIT

associates. Possibly for that very reason he often fared much better than they did. Every one liked him, not only because he never elbowed any one out of the way, but because he was droll, amusing and generally good company.

Almost from the start he became a favorite of Judge David Davis, the presiding genius of the Eighth Judicial Circuit, who constantly invited him to be his traveling companion and frequently shared his bed with him at the inns. This latter arrangement, however, proved more of a courtesy than a comfort, for Davis was a man of enormous bulk and Lincoln so tall that he had to lie crosswise in the average bed to get his legs inside the covers, leaving insufficient room for the Judge's ponderous body. The result was that neither of them found the other an agreeable bed-fellow.

As a jurist Davis was perhaps the ablest of the Illinois bench, a bit of a martinet held in considerable awe by the bar, but exceptionally well read in the law and respected by every one for his integrity and fairness. Despite the fact that he and his legal family were exceedingly intimate and lived at times under conditions

LINCOLN

which forbade official aloofness, no one ever dreamed of taking any undue liberty with him in the court room. He could and did unbend in his personal relations with the attending lawyers when they assembled for song, story and general relaxation at the inns. But woe betide any counsel who attempted to take advantage of such convivial comradeship during business hours. Once on the bench, Davis became, first and foremost, a judge who allowed no one to presume on social intimacy for the furtherance of professional ends.

It was not because Lincoln was the only member of the bar who traveled the entire round of the Eighth Circuit that Davis reposed unusual confidence in him. He enjoyed his companionship, liked his witty stories and admired his character. But his legal ability had a peculiar appeal for the Judge who, in time, came to regard him as the leader of his bar and missed no proper opportunity for emphasizing that fact. Indeed, he occasionally carried this to the point of designating him as his alternate on the bench, and there is some reason for believing that his trusted substitute once presided during an entire term of the court. Certainly numerous

RIDING THE CIRCUIT

official orders of the old Eighth Circuit are recorded in his handwriting. Probably he never acted in a judicial capacity without the consent of the attorneys concerned in the cases, although this may sometimes have been taken for granted, as there is an unconfirmed rumor of one of his judgments having been appealed and set aside because of Davis's free and easy delegation of authority.

It is surprising such preferment did not cause jealousy among Lincoln's fellow practitioners. But apparently it did not, for there was no more popular member of the bar in the days when he basked in the sunshine of Davis's favor. Certainly the lawyers of the Eighth Circuit fought each other valiantly, but they ate and drank as friends—especially drank. Lincoln neither drank nor smoked. Yet at the merry gatherings in the inns, which took every form from noisy song fests to more or less riotous mock trials, he was always in demand.

But Lincoln, while often the soul of those jovial parties, was by no means habitually in a holiday mood. On the contrary, he frequently became so absorbed in his legal problems that he

LINCOLN

could not be induced to take part in any festivities and held himself aloof from his associates for long periods. Moreover, he relapsed quite occasionally into melancholy, if not despondency. Then nothing served to divert the gloomy thoughts with which he seemed to be struggling, and at such times his companions gradually learned that he must be left to fight out the battle alone. Indeed, it was largely because Lincoln sought relief from nervous depression that he cultivated the wit and humor which astonished or shocked the austere and endeared him to the rest of the world.

CHAPTER XIX

EXPERIENCE AND DEVELOPMENT

TO understand Lincoln's career as a statesman it is essential to note the development of his mental powers during the years that immediately preceded his election to the presidency. His character formed at a very early age, but his mind did not mature until comparatively late in life and the period of his greatest intellectual growth was that which he dedicated, almost exclusively to the practice of law on the Eighth Judicial Circuit. Of course his general attitude toward his profession was, in part, due to his character. But not entirely so. Many men who rise to eminence at the bar lose the ideals with which they enter upon the performance of their duties and divorce their personal views from their professional opinions. Lincoln never found this either necessary or expedient. Long before he attained prominence in the courts of Illinois he formulated his theory of legal ethics, and it is important to note how far he carried it

LINCOLN

into practice, for intellectual honesty became the keynote of his success as a statesman.

"There is a vague popular belief," he wrote in 1850, "that lawyers are necessarily dishonest. . . . Let no young man choosing the law for a calling . . . yield to that popular belief. Resolve to be honest at all events; and if, in your own judgment, you cannot be an honest lawyer, resolve to be honest without being a lawyer. Choose some other occupation rather than one in the choosing of which you do, in advance, consent to be a knave."

"Discourage litigation," he advised a group of law students. "As a peacemaker the lawyer has a superior opportunity of being a good man."

Admirable as those sentiments are, they would be valueless if they were mere lip service to a professional ideal. The vital point is that Lincoln lived up to and found them practical.

"Yes," he wrote to a prospective client, "we can doubtless win your case for you; we can set a whole neighborhood at loggerheads; we can distress a widowed mother and her six fatherless children. You must remember, however, that some things which are legally right are not mor-

EXPERIENCE AND DEVELOPMENT

ally right. We shall not take your case but we will give you a little advice for which we will charge you nothing. You seem to be a sprightly, energetic man. We would advise you to try your hand at making six hundred dollars some other way."

"Is this founded on fact?" he once demanded of Herndon who had submitted a paper similar to the "affidavit of merits" which to-day disfigures so many litigations. His partner responded that it was the usual device to gain time for a hard-pressed client—colorably though not strictly true. "You know it is a sham," Lincoln asserted, "and a sham is very often but another name for a lie. Don't let it go on record. The cursed thing may come staring us in the face long after this suit has been forgotten."

In a case where two young men interposed the defense that they were not of age when they contracted the debt for which they were sued, Lincoln advised the jury to disregard the plea. Legally, he admitted, they might escape payment by hiding behind "the baby act," but it would be morally wrong to let young men put an indelible

stain on their lives by taking advantage of such a technicality.

"You speak to the jury," he advised one of his associates. "If I do so, they will see from my face that the man is guilty and convict him."

On one occasion he abandoned a case during the course of a trial because he reached the conclusion that his client was trying to perpetrate a downright fraud and, walking out of the court room, left the matter to be handled by the attorneys who had retained him. Judge Davis, amazed at this seeming neglect of duty, sent him an order to return at once and proceed with the case. But Lincoln disregarded it. "You tell the Judge," he instructed the messenger, "that my hands are dirty and that I've gone away to wash them."

He had no patience with subterfuges and technicalities of any kind and constantly overruled his associates who strove, by interposing strictly legal objections, to exclude testimony and evidence which they considered damaging. "I reckon it would only be fair to let that in," or "I think it right to concede this," was his usual reply.

EXPERIENCE AND DEVELOPMENT

When Lincoln decided that trial work for other lawyers should be his specialty he well knew that he had by no means chosen the easiest or the speediest way to earn a living at the bar. On his retirement from Congress whatever legal reputation he had acquired in his earlier practice had been almost forgotten, and to succeed as an advocate he had to convince his fellow practitioners that he was better qualified to handle their court work than they were—a very different thing from persuading laymen to retain him. In a way, he had to pit himself against the other members of his profession and he did not underestimate their ability, knowing that among them there were many exceptional men with more training and experience than he could claim. To offset this he applied himself to the study of law far more seriously than he had previously done, began working at Euclid, German and English, and compiled the notebooks which still exist, containing digests of law cases and other evidence of legal research.

But it was not because they regarded him as a profound lawyer—there was nothing profound about him—that his fellow members of the bar

began to retain Lincoln. They quickly discovered, however, that he could "diagnose" a case better than they could, seeing, almost at a glance, the dominating point in it and never losing sight of it or letting the jury or the court do so. Moreover, he had a positive genius for presenting the most complicated issue with such clarity and frankness that even an untutored mind could comprehend it. Brushing aside all unessential facts and going straight to his point—logically, honestly and courageously—he convinced others by inspiring them with confidence. It was this rare intellectual gift that made his reputation at the bar, and marked him as a man apart among the statesmen of the world.

Yet the lawyers who retained him did not do so merely because he had developed exceptional legal talents. They relied on his character. They knew he was unselfish and would never attempt to wean their clients from them or try to overshadow them in any way. Lincoln, of course, made enemies at the bar. But it is a curious fact that those who cherished grievances against him were, for the most part, his associate counsel and not his adversaries. The writer has personally

EXPERIENCE AND DEVELOPMENT

investigated all such criticisms that have come to his attention, and in every instance the true explanation of the complaint lies in the fact that Lincoln had a more delicate sense of professional honor than his critic—a sometimes unforgivable offense.

It is safe to say that Lincoln's record—public, private and professional—has been subjected to more pitiless scrutiny than that of any other human being, and its freedom from blemish is a unique tribute to his character.

Every detail of his experience at the bar during his maturity proved of value to him in his future years. But perhaps the most important asset with which it endowed him was an almost uncanny knowledge of human nature. The judges, the juries, the litigants, the witnesses, and the attorneys all afforded him a peculiarly close insight into the minds and hearts of men. Of course many lawyers, with even greater opportunities for studying their fellow beings, learn nothing worth while about them. From his contacts with humanity the shyster merely adds a few tricks to his trade, and an egotist is usually content to mirror himself in other personalities.

LINCOLN

But human minds and hearts are shy. They open only to rare sympathy and are probed solely by those who possess the gift of understanding.

Lincoln had the gift and it brought to the nation an accurate reader of character—a just interpreter of human motives.

CHAPTER XX

FAMOUS CASES

WHEN the writer of these pages first followed Lincoln's trail over the old Eighth Judicial Circuit, he kept hearing vague stories to the effect that Lincoln avoided having anything to do with murder cases, because one of his earliest clients, indicted for murder, had been convicted, sentenced and hanged. None of the circuit records, however, supported this rumor and no one could be found who, of his own knowledge, could confirm it. Moreover, convictions of capital offenses are usually appealed to the court of last resort, and no such case was reported in that tribunal. There was abundant evidence that Lincoln disliked criminal trials in general, and murder cases in particular. But that was about all the writer discovered after a long and careful search. Then, by chance, he learned that, in the very early days of his practice, Lincoln sometimes tried cases outside the limits of the Eighth Circuit, and with this clew the papers in the trial

of one William Fraim were unearthed. They were all in Lincoln's handwriting and proved conclusively that the rumor had foundation. He had been associated in the defense of Fraim and his client was hanged on May 18, 1839.

It is highly probable that this incident, which occurred soon after he was admitted to the bar, left a very disagreeable impression on Lincoln's mind and disinclined him to undertake capital cases. Nevertheless, it is a fact that at least two of his best known cases were based on charges of murder and, in each instance, the accused was related to people he had known in his boyhood days or in the early period of his struggle to gain a livelihood. The story of one of them is so dramatic that it has been repeated hundreds of times. Indeed, Edward Eggleston made it the theme of his novel, *The Graysons*, which, in its time, was very widely read.

Lincoln never forgot the days when he had been a "sort of clerk" in Offut's grocery at New Salem, or the Clary's Grove boys of whom he became the leader after his bout with Jack Armstrong, their wrestling champion. Yet Jack's wife probably did not feel over-sanguine of her

FAMOUS CASES

old friend's response when she appealed to him on behalf of her son who had been arrested on the charge of having killed a youth by the name of Metzker. Perhaps she had heard of Lincoln's reluctance to take such cases, or she may have feared that he had forgotten the friends of his youth. Many a year had passed since he had fraternized with her husband and the "rough-neck" gang from Clary's Grove. In the meantime he had become one of the distinguished lawyers of the state, if not the leader of its bar; was counsel for the Rock Island Railroad, the Illinois Central Railway and many other important corporations, and generally regarded as one of the most influential men in his state. No wonder the anxious mother suspected that the result of her interview with him might prove the rule that "old friends grown great have short memories." But if she cherished any such misgivings Lincoln quickly reassured her. He not only agreed to assist the attorney she had already retained, but expressed a more hopeful opinion of the outcome of the case than any one else had ventured.

The situation certainly did not justify optimism, for the prisoner, William Armstrong, gen-

erally known as "Duff," was a youth of bad reputation, identified with about as notorious a gang of roughs as ever brought discredit on any neighborhood. Worst of all, one of his associates had already been convicted of manslaughter on circumstantial evidence connecting him with Metzker's death, and public indignation in the neighborhood ran strongly against the accused. Indeed, his lawyer, believing that the young man could not receive a fair trial in Mason County, had applied for and obtained an order transferring the case to Cass County, where local prejudice would be less likely to prevail.

All this was serious enough, but another difficulty confronted Lincoln. The existing Illinois law did not permit a prisoner to testify in his own defense, and it would therefore be impossible for him to take the stand and contradict the prosecutor's witnesses. Altogether, the outlook was anything but cheerful.

As a rule, circuit lawyers did not examine jurors very closely as to their qualifications or prejudices. It was not even customary, as it is to-day, for counsel to inquire whether the jury-

FAMOUS CASES

men were personally acquainted with any of the attorneys in the case. Indeed, on one occasion when an opponent tried that with Lincoln he considered it a personal affront and retaliated by entering into a minute examination of each talesman to discover whether he knew the lawyer who had been questioning them.

"Come, come, Mr. Lincoln," interrupted the judge impatiently. "Don't let us waste time. You know perfectly well that no juror is disqualified simply because he happens to know your adversary."

"I'm well aware of that, Your Honor," drawled Lincoln. "But what I am afraid of is that some of them may *not* know him."

But in the Armstrong case Lincoln did not follow his usual practice of accepting the first twelve talesmen that entered the jury box. On the contrary, he examined them carefully and was not satisfied until he had secured a group of men whose average age was not over twenty-five. The first witnesses called by the prosecutor came from New Salem and, in cross-examining, Lincoln let them know he was well acquainted with their town and their relatives, and grew so

friendly with them that their testimony did no particular damage to the prisoner. But the situation suddenly changed when a man by the name of Allen took the stand and declared that he had actually seen Armstrong strike down Metzker with a slug-shot. This testimony was a complete surprise, for it had been supposed that there were no eyewitnesses of the crime. Everything therefore depended on Allen's cross-examination. If his story remained unshaken a conviction was almost certain, and when Lincoln rose to question him he knew that the critical moment had arrived.

What was the exact hour at which the witness had observed the scene he had described? Eleven o'clock at night? . . . Well, did he mean to tell the jury that in the darkness, and almost at the dead of night, he recognized the prisoner beyond the possibility of mistake? It was not dark? Where did the light come from? The moon? . . . A full moon? . . . Nearly full? What was its position in the sky? . . . About where the sun would be at ten o'clock in the morning? . . . So it was the light of the nearly full moon that enabled him to identify Armstrong? Yes?

And he couldn't have done so except for the moon? Exactly! . . .

Lincoln then drew from his pocket a calendar which showed that on the night of the murder the moon, far from being full, was only in its first quarter, and that at eleven o'clock it shed little or no light, having almost set.

The witness left the stand completely discredited, and from that moment the case was over. A verdict of acquittal followed.

This familiar story would scarcely bear retelling were it not that it has given rise to one of the silliest slanders ever uttered concerning Lincoln. It has been said, and frequently repeated by irresponsible tongues, that Lincoln deceived the jury by using a calendar of another year and not that of the murder date. To lawyers who know that the authenticity of such a document would have to be proved and that it would be scrutinized by the judge, the jury and the prosecutor, any such statement, is, of course, preposterous on its face. But there are people to whose long ears such an impossible trick sounds like "smart tactics." They apparently relish the idea that Lincoln's conscience was as crooked as their own.

LINCOLN

So the senseless rumor still persists. To dispose of it for all time, the writer has procured from the United States Naval Observatory at Washington an official certificate that on August 29, 1857, the moon was in its first quarter and set at 12:07 midnight, precisely as Lincoln claimed.

The other murder case associated with Lincoln's early life involved the grandson of old Peter Cartwright who had opposed him in his campaign for Congress. There was nothing particularly dramatic about it, but it was a difficult case to defend, as the prisoner admitted the killing, and the only question was whether it had been a deliberate murder or the result of a fight. The old Methodist preacher begged his former adversary to defend his grandson, and Lincoln consented to do so. The notable feature of the trial was the array of counsel that conducted it. The prosecutors were John M. Palmer, who later became the Governor of Illinois, and John McClernand, destined to become one of the most widely known generals in the Civil War. The defense included Lincoln and William Herndon, his partner; Judge Stephen Logan, his former partner and legal mentor, and Shelby Cullom, a

future United States senator from Illinois and a governor of the state.

The prisoner's acquittal after a hard struggle demonstrated Lincoln's extraordinary effectiveness with a jury, for it was unquestionably his closing address that succeeded in clearing his client.

As has been stated, Lincoln rarely allowed his civil practice to be interfered with by retainers in the criminal courts, and some idea of his legal experience may be gained by the fact that he conducted over a hundred and seventy-two cases before the highest tribunal of Illinois—a record among the lawyers then practicing in the state. Compared with the remuneration of modern attorneys he was poorly compensated, for at no time did he earn much more than was necessary to meet the very modest expenses of his family, and owned scarcely any property when he retired from the profession. But several of the legal controversies which he conducted established precedents that settled the law of his state and are quoted in judicial opinions to this day.

An amusing illustration of how widely his services were in demand appears in a letter addressed

LINCOLN

to him by a prominent Democratic lawyer requesting him to act as counsel in an important litigation. "I ought to and must gain this case," wrote the attorney. "I want you to 'undoubt' the Judge. If you can be the means of doing this you will almost bring me under an obligation to support the 'Black Republicans.' "

CHAPTER XXI

INTERRUPTION

WHILE Lincoln was busily engaged with the courts and juries—so busily that he had scarcely noted the shadows of coming political events—a bill was introduced in the United States Senate by Douglas which startled the whole country.

Stephen Douglas had traveled far on the road to fame since he and Lincoln had first encountered one another at the state capital in 1834. Both were then at the very outset of their careers, almost friendless and absolutely penniless. But while Lincoln was serving his brief and very modest apprenticeship in public life, Douglas had been rushing from one political honor to another. At the age of twenty-three he had been elected to the Illinois Legislature; at twenty-eight he became a judge of the Supreme Court; at thirty he had won a seat in Congress, and at thirty-three had become the Democratic United States senator from Illinois.

Nothing daunted him, and the Senate, which sometimes suppresses youthful enthusiasm, did not awe him in the least. On the contrary, he soon forced himself into the limelight and rapidly acquired a national reputation, shedding a reflected glory on Illinois, which proudly hailed him as "the little Giant" and made him its local hero. But it was not only his home constituents that were impressed by his ability. The Democratic leaders of the Senate soon discovered that he must be reckoned with in all matters of party policy, and more or less admitted him to their confidence. Coming from a free state, he was not wholly trusted by the political agents of the slave power, but it was obvious that he had influence with the troublesome minority and might be used to good advantage if properly handled. Opportunities to prove this were not wanting, but the supreme test came when the plan to repeal the Missouri Compromise developed, for he was, perhaps, the only member of the Senate who could have introduced such a measure with any hope of success, and certainly the only senator from a free state that would have dared to do so. Even for a popular idol it was a dangerous

move, for all who opposed the extension of slavery, including many Democrats, regarded the Missouri Compromise as the bulwark of their liberties.

Douglas, however, balanced the possible gain against the loss and did not find it wanting in the furtherance of his ambition to become the standard-bearer of his party. Nor was it unreasonable to expect that his services would be rewarded, for the proponents of slavery considered the Compromise as the main stumbling-block in their path and to him who removed it nothing could fairly be denied.

The Missouri Compromise, it must be remembered, dated from 1820, originating in the effort to admit Missouri to the Union as a slave state. To effect this without cost proved impossible and the price paid took the form of a solemn agreement that slavery should thereafter be absolutely excluded from all territory lying north of thirty-six degrees thirty minutes. This virtually insured the vast domain of the Northwest, included in the Louisiana Purchase, against the extension of slavery and the compromise was expected to effect a final and satisfac-

tory settlement of the whole slavery issue. But that hope speedily vanished as one territory after another from the Northwest applied for admission to the Union and entered it as free states with votes that threatened to extinguish the slavery party's control of Congress. The Mexican war had offered a rare opportunity for at least postponing the day of reckoning, but its net results proved disappointing. Of the conquered territory California had to be conceded as a free state and the boundaries of Texas diminished to overcome the growing antislavery opposition, but this time neither party cherished any illusions about the adjustment. It was, at best, a truce which merely lasted until Kansas and Nebraska applied for admission to the Union, when the leading free state men voted solidly to exclude them unless they excluded slavery.

In the bitter struggle that followed Douglas evolved his doctrine of "popular sovereignty" by which each of the proposed states should be permitted to decide by the vote of its people whether it would or would not tolerate slavery within its limits, and that all future states should have the same privilege accorded them by repealing the

INTERRUPTION

Missouri Compromise. This was the sum and substance of the bill he proposed in the Senate. It raised a storm of protest and encountered the most violent opposition which any administrative measure had met for many a year. Nevertheless, he engineered it with such skill that it became a law in 1854.

The announcement of this triumph of the pro-slavery party aroused Lincoln from his legal studies. When the news reached him on the circuit he happened to be sharing quarters with Judge Dickey, a fellow member of the bar. Dickey relates that he began discussing the situation as soon as they had retired to their bedroom and continued talking anxiously about it until his roommate became exhausted and fell asleep. But Lincoln must have wrestled with the subject all night, for when the Judge awoke, his companion was still seated on his bed plunged in thought and apparently oblivious that another day had dawned.

"I tell you, Dickey," he announced, as though continuing the conversation of the previous evening, "this nation cannot exist half slave and half free."

LINCOLN

That phrase, first uttered at sunrise after a night of mental travail, embodied the guiding principle of Lincoln's future years. The life of the nation. That was the dominating point in the controversy over slavery. His mind traveled to it direct as light, and he never lost sight of it in conducting the great cause that was soon to be entrusted to his keeping.

CHAPTER XXII

THE GATHERING STORM

DOUGLAS unquestionably had reason to congratulate himself on the achievement of a great personal triumph. He had dared while others doubted, and had accomplished a result generally regarded as impossible. The slavery interests wildly acclaimed him and on all sides he was flattered, fawned on and exploited as the logical Democratic candidate for the presidency. This, of course, had long been the dream of his life, but if he cherished any hope that it would be easily realized he was speedily disillusioned by the first news from his own state. Illinois had greeted his repeal of the Missouri Compromise with a roar of indignation.

To be repudiated by his own constituents might completely ruin his chances as a presidential possibility. His term as senator would soon expire and if Illinois did not reëlect him he would be out of politics at the most critical moment of his career. No man rejected by his own state

could aspire to national honors. It is not surprising that "the little Giant" hurried home to "repair his political fences." They sorely needed attention. Chicago, which usually welcomed him with cheers, received him with howls of execration, and for a time refused to listen to the explanations which he offered for his action. But Douglas was not the sort of man to be howled down, and no one understood better than he did the psychology of the crowd. He accordingly began a tour of the state, making adroit speeches at every stopping place with such success that he rapidly regained the public confidence, until he reached Springfield. There his triumphal progress received an unexpected check, for Lincoln was on hand and answered his arguments in a speech of such searching logic and force that his theory of "popular sovereignty" was once more under fire. The next day, however, he spoke again with all his characteristic charm and persuasiveness, only to find that Lincoln had followed him. The result was another decimating speech which relentlessly tore his plausible arguments to pieces and renewed the popular clamor against him.

Up to that moment it is highly probable that "the little Giant" had never considered Lincoln seriously and, least of all, as a political opponent. Of course everybody knew that he belonged to the Whig party, the only organization which even challenged the Democratic sway in Illinois. But he had never been very prominent in its councils and had apparently retired from public life to immerse himself in the career of a country lawyer. Why had he suddenly reappeared? He was not running for office and had nothing to gain by dogging the footsteps of a public man. Was he preparing to contest for the Illinois senatorship? That did not seem reasonable with no election impending for almost two years. But whatever his reasons were for emerging from obscurity, he was decidedly in the way.

All the chances are that Douglas had little or no direct information of the reputation which the country practitioner had been making at the bar, since he had devoted himself exclusively to his professional duties. But if so, Lincoln's first speech enlightened him. Obviously, he had become a powerful public speaker and would be a dangerous opponent—too dangerous to be

trifled with or ignored. He had wit and humor; but of that the senator was not afraid. He could more than hold his own with any platform give-and-take. It was the unerring precision with which the man picked out the weak points in arguments that disturbed him. He evidently had one of those single-track minds with which a facile debater finds it difficult to cope.

Slavery was to Douglas merely a local question to be decided by the citizens of each state and he did not care "whether it was voted up or down." But Lincoln refused to accept it as a local issue. He kept insisting that it was a national problem for the existence of which all parts of the country were equally responsible, and he had a convincing way of presenting his point to the people. Altogether he had become an adversary worthy of any man's steel, and, if not checked, a very troublesome one. A few more speeches like those he had delivered might prove very expensive. Douglas therefore proposed a truce by offering to abandon his tour if Lincoln would refrain from speaking until the close of the pending campaign. It cost him something to make the suggestion, but Lincoln gravely ac-

THE GATHERING STORM

cepted it and for the moment "the little Giant" breathed easier. He had other things to think of besides his local political fences.

Lincoln's speeches had, however, already had an effect in Illinois which elected an anti-slavery legislature and, encouraged by this, he determined to reënter politics. The easiest way to do this was by announcing himself as a candidate for the Legislature, to which he was duly elected in November, 1854, but almost immediately resigned to enter into a contest for the senatorship about to become vacant by the retirement of Douglas's colleague. On the first ballot it looked as though he would certainly be chosen, for the Legislature with which the choice lay apparently favored him. Then a local politician, strongly suspected of pro-slavery sentiments, maneuvered to secure the prize and might have succeeded had all his opponents remained in the field. Scenting this danger, as he had done in his first effort to secure a nomination for Congress, Lincoln advised his friends to throw their votes to Lyman Trumbull, a leading candidate and a fellow member of the bar, who was elected.

CHAPTER XXIII

THE REPUBLICAN PARTY

HIS brief reëntury into politics had not seriously interfered with Lincoln's law practice, and he returned to the busiest year and a half of his professional life. Nevertheless, he took a keen interest in the movement which had been inaugurated to form a new political party. The Whig organization with which he had always been associated had been gradually dying of dry rot for some years past and no longer afforded much more than a formal opposition to the dominant Democratic party. If, however, the remnants of the Whigs, the free state men, the Abolitionists and all those Democrats who resented the repeal of the Missouri Compromise could be united to oppose the extension of the slave power, there was every reason to believe that the plan to make it a national institution could be checked, if not wholly defeated.

Lincoln had never approved of the Abolitionists and had invariably held aloof from them.

THE REPUBLICAN PARTY

But it was the means they employed and advocated to extinguish slavery with which he disagreed and not the end that they had in view. Indeed, there were many factions throughout the country that were basically opposed to slavery in principle, but as long as they differed among themselves as to the best method of attacking the evil, none of them could accomplish anything. He therefore strongly encouraged the formation of the Republican party, in the hope that it would cause all the warring groups to lay aside their differences and unite in the common purpose of fighting against the extension of slavery.

The new party was organized, and at its first convention at Bloomington, Illinois, on May 29, 1856, Lincoln made the chief address. Those who were aware that he had been rapidly developing into a powerful speaker expected that he would rise to the occasion, but they were quite unprepared for the masterful oration he delivered. No copy of it is in existence, for the reporters who were supposed to record it became so absorbed in listening to the inspired speaker that they forgot their notes and the address has become known as "the lost speech." It was not,

however, merely Lincoln's eloquence that held his audience spellbound. It was his grave and earnest announcement that the critical moment in the life of the nation was at hand and that those who wished it to survive must make every sacrifice to protect it from the forces that threatened its destruction.

That warning was still ringing in the ears of the Republicans when they assembled a month later at Philadelphia to nominate their candidate for the presidential campaign of 1856. Lincoln was engaged with his duties on the circuit when this event occurred, and some one brought him the news that on the first ballot for the vice-presidency he had received 110 votes. He merely laughed. "It can't be me they're voting for," he asserted. "There's another great man of the same name somewhere in Massachusetts. It's probably him."

Very likely the wish was father to the thought, for he had no desire to be named for the vice-presidency. And he was not. General Frémont, one of the pioneers of the Northwest who had done much to secure California as a free state, received the nomination for the presidency. It

THE REPUBLICAN PARTY

was a logical choice, but no one supposed that the nominee could, by any possibility, defeat Buchanan, the Democratic candidate, and the result of the election was a foregone conclusion—except in one respect. The newly formed Republican party, not then organized in all the states, polled no less than 1,300,000 votes. It was an astounding performance and no one realized better than the political agents of the slave power that another such victory would destroy them. From that hour they began planning the dissolution of the Union.

Meanwhile an event had been happening in Missouri which, in the opinion of some people, bade fair to settle the slavery question for all time. A negro by the name of Dred Scott had been taken by his owner into both a free state and a territory where he resided for several years. This, according to the views of many lawyers, emancipated him, for having once touched free soil, not as a runaway but with the consent of his owner, it was contended that he became a free man by force of law. But when Scott returned to Missouri, at least nominally in bondage, a test case was brought in the courts to establish his

status. For many years it was suspected that the case had a political origin and had been engineered to secure a decision declaring the Missouri Compromise unconstitutional. But that has now been absolutely disproved. Dred Scott, it is true, played practically no part in the efforts made to free him, but certain lawyers, for their own purposes, championed him, and only after the lower courts had ruled against them and an appeal had been taken to the Supreme Court of the United States was it discovered that the case had political possibilities. And it had. If a slave did not become emancipated by being taken into a territory expressly dedicated to freedom by the terms of the Missouri Compromise, there was no reason why slave-owners might not import negroes into such territory and control them as they could other property, thus virtually imposing slavery upon all the communities supposed to be protected from it. Were this to happen Douglas's theory of "popular sovereignty" was a farce, for the citizens of every territory would have to harbor slavery whether they "voted it up or down." The moment this aspect of the case was realized it became a cause célèbre and emi-

THE REPUBLICAN PARTY

nent counsel were retained to argue it in the court of last resort. The decision, rendered shortly after Buchanan's election by a majority of the judges, declared that Dred Scott had not been emancipated by his residence in a territory, because the Missouri Compromise was unconstitutional.

This practically legalized slavery and, as far as the ruling of a court could do so, nationalized it. But, far from settling the issue it assumed to determine, it flung the door of controversy wide open.

CHAPTER XXIV

THE CHALLENGE

ILLINOIS lost no time in registering an emphatic protest against the Dred Scott decision, and among those who most firmly voiced it was Lincoln. Nine years before the Supreme Court made its ruling in that case he had acted as counsel for a slave-owner named Robert Matson, who had, as he claimed, temporarily brought some of his slaves into Illinois from Kentucky. The negroes took refuge with an anti-slavery family in Illinois and their owner retained Lincoln to recover his property. On the court hearing Judge Willson is recorded as having asked Lincoln whether, as a matter of law, he thought his client would be entitled to the possession of the negroes, if it should appear that he had brought them from Kentucky for the purpose of working them on free soil and had in fact done so. Lincoln at once admitted that, under such circumstances, the slaves would be free and was quite severely criticized by other

THE CHALLENGE

lawyers for having "given his case away." But that did not disturb him in the least. If his client had really tried to import slaves into a free state he had emancipated them. Of that he had no doubt. To argue against this vital principle was no part of his professional duty, and he would not do it. As he remarked on another occasion, it was not his practice to defend cases in which he disbelieved. "If I did," he asserted, "I'd not only be thinking all the while 'Lincoln, you're a liar!' but forget myself and say it out loud."

It is no wonder, then, that he resented the Dred Scott decision which was hailed by all free state men as a violation of their most sacred rights. Moreover, there were indications that the dissatisfaction was not confined to Republicans. The Democrats showed distinct signs of restiveness. So much so that Douglas again hastened to Springfield, where he denounced the critical spirit which was encouraging a defiance of the law. The Supreme Court of the United States was, he declared, the tribunal of last resort and when it had determined an issue duly submitted to it all good citizens should abide by the result. To do otherwise, he

insisted, showed a traitorous disregard of the constituted authorities if not a contempt of court of which no one, and particularly lawyers who were officers of the court, should permit themselves to be guilty. It is very doubtful if this tirade convinced any one, for it was, at best, an admonition to the people to stop thinking. Apparently Douglas had done so, for he avoided discussing the merits of the case and seemed to agree with the cynic who remarked that the most important thing about legal controversies is not whether they are rightly or wrongly decided, but that they have been decided.

It was, however, in no spirit of levity—cynical or otherwise—that Lincoln answered the attack. On the contrary, he assumed Douglas to be perfectly sincere in deploring what he deemed a defiance of the law and wished only to reassure him. The answer was a masterpiece of clear statement, so simple that a child could comprehend it, so complete that it covered every phase of the subject, and so logical that it convinced. In fact, it was precisely the sort of quiet, admonitory utterance which had already caused Douglas to declare that “Lincoln gave him more

trouble than all the Abolitionists put together." He could handle a bellicose ranter to perfection. But confronted by a calm judicial critic who refused to be ruffled by personal allusions and searched out the very soul of an issue, he was never at his best.

We believe as much as Judge Douglas in obedience to and respect for the judicial department of the government [Lincoln asserted], but we think the Dred Scott decision is erroneous. We know that the Court that made it has often overruled its own decisions, and we shall do our best to have it overrule this one. We offer no resistance to it. If this important decision had been made by the unanimous concurrence of the Judges and without any apparent partisan bias, and in accordance with legal public expectation and the steady practice of the departments throughout our history, and had been, in no part, based on assumed historical facts which are not really true, or, if wanting in some of these, it had been before the Court more than once and had been affirmed and reaffirmed through a course of years, it then might be, and perhaps would be factious—nay, even revolutionary, not to acquiesce in it as a precedent. But when, as is true, we find it wanting in all these

claims to the public confidence it is not resistance, it is not factious, it is not even disrespectful to treat it as not having yet quite established a settled doctrine for the country.

In his heart of hearts Douglas probably did not approve of the Dred Scott decision. He was too intelligent not to realize that it virtually disposed of his cherished "popular sovereignty" doctrine. In championing the repeal of the Missouri Compromise he had gone a long way to satisfy his Democratic colleagues and the Dred Scott decision had carried him a bit further than he intended. But when the political agents of slavery attempted to push him into voting for the admission of Kansas as a slave state without any direct mandate from its citizens, he balked. Indeed, his resistance was so firm that it inspired Horace Greeley, the editor of the New York *Tribune*, and other influential friends of the new party to advise the Illinois Republicans not to contest his reelection. But they emphatically refused to do anything of the sort. Douglas, they contended, was, at best, utterly indifferent to the extension of slavery and could not possibly

be endorsed by the party pledged to oppose it. Almost defiantly, on June 16, 1858, they placed Lincoln in the field against him.

The nominee promptly accepted the call in an address which caused something very like a panic among the local politicians, to whom it was confidentially submitted. The voters would be frightened by such views, they declared. All talk about the dissolution of the Union should be suppressed. In spite of these warnings Lincoln refused to change the speech. Its keynote was the nation.

“A house divided against itself cannot stand” [he quoted]. I believe this government cannot endure half slave and half free. I do not expect the Union to be dissolved—I do not expect the house to fall—but I do expect it will cease to be divided. It will become all one thing or all the other. Either the opponents of slavery will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction, or its advocates will push it forward till it shall become alike lawful in all the states, old as well as new, North as well as South.

LINCOLN

From that moment Lincoln laid aside his law work and his first move in the campaign—the most notable election contest in the history of the United States—was to challenge his opponent to debate the issue openly before the people.

CHAPTER XXV

THE DEBATES

DOUGLAS did not relish his adversary's proposal. His plan of campaign had been to shepherd the wavering members of his own party who would doubtless attend his meetings in the hope of hearing something to strengthen their allegiance. But it was quite another matter to address gatherings of friends and foes in the presence of an opponent ready to expose even the slightest slip. Moreover, he had become convinced that Lincoln knew the sort of audience that would attend the meetings better than he did. It would be composed of just the type of men he had been confronting as jurors on the circuit—intelligent, honest, serious farmers and plain people gifted with more common sense than sense of humor and quite capable of resenting any attempt to turn the debate into an amusing spectacle. Tricks of oratory and quick repartee would not satisfy solid, solemn country folks looking for information and not entertainment.

It was anything but an inviting prospect. But it could not safely be avoided. If he refused to discuss the issues with his rival, the voters might think he was afraid to do so and repudiate him at the polls. If he accepted the challenge, it would give Lincoln a wider hearing than he would otherwise receive, but the Democrats outnumbered the Republicans in Illinois and the chances were that the majority of those who attended the debates would be his constituents. On the whole, there seemed to be less risk in meeting the enemy than in declining battle. He therefore picked up the gauntlet that Lincoln had thrown down.

Arrangements were accordingly made for seven meetings, so scheduled as to cover the entire state at intervals of about a week, and no events in the past history of Illinois ever attracted such throngs. As in the days of the Boonville Court when whole neighborhoods laid aside their vocations and flocked to hear the circuit riders, so every one within reach of Ottawa, Freeport, Galesburg, Quincy, Charleston, Alton and Jonesboro, traveled to the joint meetings of Lincoln and Douglas. There was no building in any of those towns capable of accommodating

THE DEBATES

even a small percentage of the audiences that assembled; therefore all the debates had to be held in the open. They were, as Douglas had foreseen, attended by people who had come to listen, learn and make up their minds, no small part of whom were quite willing to be persuaded by the man who was unquestionably the popular hero of the state.

In the printed form in which the debates have passed into history they do not make exciting reading. Nor were they intended to create thrills. It was the personality of the speakers that enthralled the crowds. Yet in the second debate at Freeport a dramatic incident occurred, the full force of which was probably lost on the audience, and certainly missed by Douglas. But not by Lincoln, and most assuredly not by the political agents of slavery who, hundreds of miles away, were carefully watching for any signs of weakness that their prospective presidential candidate might display.

At the opening debate at Ottawa, Douglas asked Lincoln seven questions, challenging him to reply to them at their next meeting at Freeport. They were carelessly framed and might

all have been answered by a simple negative. But the trained lawyer to whom they were addressed had no intention of taking advantage of the situation. He saw a far better method of handling it and informed his friends that he would reply fully and frankly, but seize the opportunity to put four questions to Douglas. This somewhat alarmed his adherents, for they knew Douglas was a quick thinker and would probably gain more than he lost by the catechism. Three of Lincoln's proposed questions seemed safe enough, but the other one—the second—raised a storm of protest. It read: "*Can the people of a United States territory in any lawful way, against the wish of any citizen of the United States, exclude slavery from its limits prior to the formation of a State Constitution?*"

If Douglas answered "Yes" he would virtually assure the voters that there was a way to protect themselves against the introduction of slavery, in spite of the Dred Scott decision. If he responded in the negative it would practically advise Illinois that it was hopeless to exclude slavery. Of course he would not do that, asserted Lincoln's confidants. He would tell them there

was a way to evade the Dred Scott case, and they would believe him and the election would be over. But Lincoln insisted, despite such objections, that the question must be put just as he had framed it. He knew that no man in Douglas's position could, with impunity, repudiate the Dred Scott decision on which the slave interests of the Democratic party pinned their faith. That embarrassment, however, seemed remote to the Illinois Republicans, and when their candidate remained fixed in his intention to risk the fateful query, one of them angrily exclaimed, "If you do, you'll never be a senator!"

"If Douglas answers," Lincoln calmly responded, "he can never be President."

The next day when he rose to meet Douglas's questions his only fear was that his opponent would escape him by remaining silent, and he handled the situation with great adroitness. He first read the queries that had been addressed to him and then, looking straight at his audience, watched it as though it were a jury.

"I will answer these interrogatories," he announced, "upon the condition that Judge Douglas will answer questions from me."

Had Douglas leaped from his chair and accepted the challenge it might have saved him. But he made no response and his adversary allowed the crowd to wait in breathless silence as he studied their faces.

"The Judge remains silent," he continued gravely. "I now say I will answer his interrogatories whether he answers mine or not. But after I have done so I shall propound mine to him."

It took but a few moments to respond to Douglas's questions, which were answered fully and frankly. Then the fateful moment arrived and the skillful cross-examiner put the queries upon which he had determined. There was no alternative for Douglas. To remain silent would be suicidal. To tell the voters of Illinois that slavery was hopelessly nationalized would lose the election. He therefore replied to the second question by saying that slavery could still be excluded, notwithstanding the Dred Scott decision, by adopting police regulations so hostile to slave-owners as to prohibit them from bringing their property into free territory.

THE DEBATES

Lincoln's friends were right. That answer satisfied his constituents and probably elected Douglas. But he was to hear from it again at no distant day and in no uncertain terms.

CHAPTER XXVI

A FORTUNATE DEFEAT

DOUGLAS was greatly elated by his reelection to the Senate and he certainly had scored a personal triumph. Indeed, it was solely his local popularity that saved him. In those days senators were not elected by vote of the people, but were chosen by the Legislature. It is therefore uncertain whether the majority of the voters favored Lincoln or Douglas, for no ballots were directly cast for either of them, but merely for the legislative candidates supposed to favor one or the other senatorial nominee. Enough of Douglas's supporters in the Legislature were, however, successful in the campaign to give him a majority of eight votes in that body. It was a narrow margin in a state that had been generally regarded as a Democratic stronghold, and "the little Giant" was the only candidate of his party that escaped defeat, for the Republicans made enormous gains, electing their state ticket by handsome pluralities.

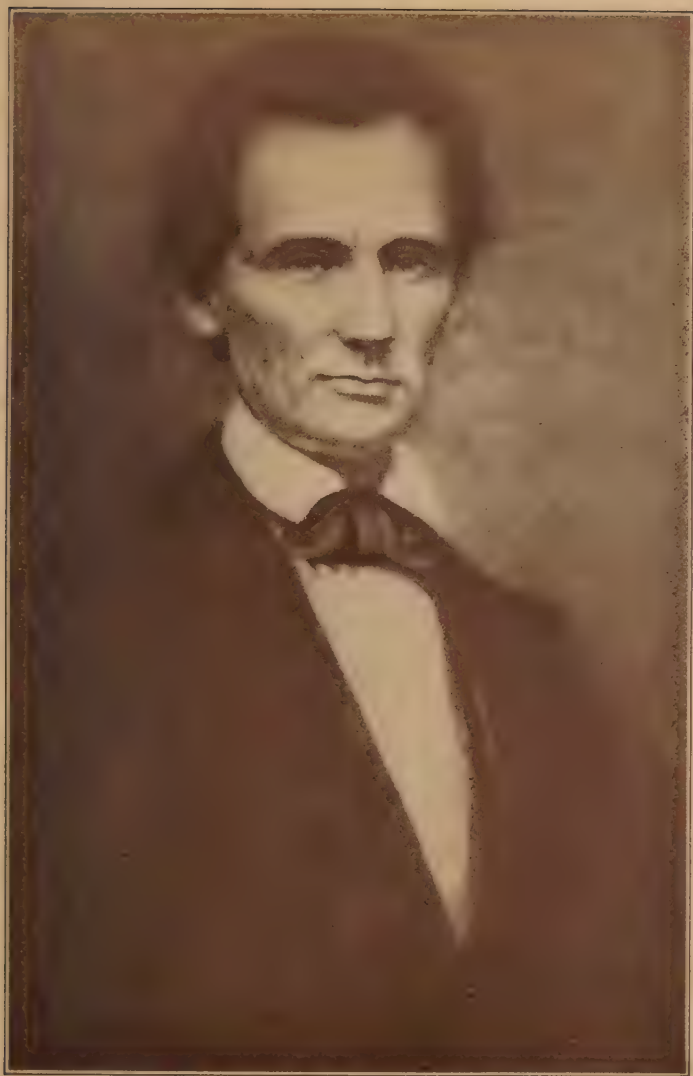
Of course the result was a keen disappointment

to Lincoln, but he took it philosophically. To one of his friends who asked whether he was greatly concerned at the outcome, he replied that he felt like the boy who had stubbed his toe. It hurt too much to be laughed away, but he was too big to cry about it. Yet he realized that his labors had not been entirely in vain, and expressed himself as well satisfied that he had made no mistake in undertaking the campaign. "It gave me a hearing on the great and durable question of the age which I could have had in no other way," he wrote, "and though I now sink out of view and shall be forgotten, I believe I have made marks which will tell for the cause of civil liberty long after I am gone."

Nevertheless, the struggle had embarrassed him financially. He had been able to earn nothing for six months and found himself at the close of the contest with insufficient funds to pay even his household expenses. He therefore lost no time in resuming his circuit practice, flinging himself into the work with such energy and success that he had no opportunity to do more than note and deplore John Brown's fanatical raid on Virginia to free its slaves—an event which

roused the Commonwealth to fury and made Brown a martyr to every Abolitionist. In fact, the only interruption which his legal duties permitted was a brief visit in February, 1860, to New York City, where he delivered an address at Cooper Union.

Up to that moment New York had heard of Lincoln only as a self-educated, rustic lawyer with a backwoods "gift of gab," who had given Douglas a scare during his last campaign. The audience was prepared for an uncouth orator whose performance would probably be more curious than interesting, and his personal appearance confirmed the expectation. His countrified clothes, ungainly figure and awkward movements were all in keeping with the reports that had reached the metropolis, and his first impression on the crowded auditorium was anything but favorable. But something in the gaunt, serious, but kindly face attracted the spectators, and his searching eyes made them forget his clumsy, swaying body. His opening words, however, grated on the critical and cultured audience, for his voice was distinctly unpleasant. But after the first few moments the speaker's



ABRAHAM LINCOLN

From a Brady photograph taken February 27, 1860, the date of his address at Cooper Union, New York City.

A FORTUNATE DEFEAT

thoughts and not his voice or appearance concerned his intelligent auditors. By sheer intellect he gripped their attention and never lost it. There was nothing of the flamboyant orator about the man. He was serious, quiet, clear, logical and judicial. Never before had a New York audience listened to any such presentation of the slavery issue, and for over an hour it held them in its thrall.

Until it had heard Lincoln, New York had regarded its senator, William H. Seward, as the one authoritative exponent of the Republican policies and the only candidate whose nomination promised even a possibility of success. His reputation at the bar and in public life had made him a national figure and his culture, learning and fine presence commanded universal respect. In fact, he possessed almost every quality that Lincoln lacked. But the visitor from Illinois had showed not only an intellectual honesty, but also a scholarly grasp of his subject that convinced those who heard him that he had studied it far more deeply than Seward and had a broader conception of the real issues at stake. New England reached the same conclusion when he made a few

speeches there on his homeward journey. Then he again immersed himself in his law practice and practically disappeared from public view.

Meanwhile the Democratic Convention assembled at Charleston, South Carolina, on April 23, 1860, to nominate its presidential candidate. This was the event for which Douglas had waited and worked during at least eight years of his life, and his reward was almost assured before the session opened. He fully realized that it would not be handed to him without a struggle, but the violence of the storm that his candidacy invoked must have fairly astounded him. Little did he dream that his answer to Lincoln's question in the debate regarding the Dred Scott decision would be seized upon by his enemies and converted into a weapon for his destruction. But he was speedily enlightened. Judah Benjamin, one of the ablest lawyers in the South, was soon to attack him with vitriolic wrath for having attempted to teach the free states how to evade the ruling of the highest tribunal in the land.

"We accuse him for this," he thundered, "that having agreed with us upon a point upon which we were at issue—that it should be considered a

judicial point—that he would abide the decision . . . and consider it as a doctrine of the party; that having said that to us in the Senate, he went home and under the stress of a local election his knees gave way, his whole person trembled. His adversary stood upon principle and was beaten. . . . The Senator from Illinois faltered. He got the prize for which he faltered; but the grand prize of his ambition to-day slips from his grasp!”

Notwithstanding many another bitter tirade of this sort, the Douglas men remained loyal, clamoring loudly to end the discussion by votes, until the convention, hopelessly split by the withdrawal of eight state delegations, voted an adjournment of the session.

But at Baltimore, where the delegates reassembled, all attempts at harmony failed and five more states withdrew, the dissatisfied groups organized a separate convention, placed their own candidates in the field and left their abandoned associates to nominate “the little Giant” at their leisure.

Thus Douglas rode the storm. But the Democracy was rent in twain.

CHAPTER XXVII

THE NOMINATION FOR THE PRESIDENCY

MEANWHILE, and between the two stormy sessions of the Democratic Convention, the Republicans gathered at Chicago to select their candidates. Lincoln was well aware that his name would be presented, for, on May 9, 1860, Illinois had noisily and enthusiastically endorsed him as her "favorite son," wildly cheering old John Hanks of Sangamon County, who invaded the Convention Hall bearing on his shoulder rails said to have been split by Lincoln in the days of his youth. Those trophies were borne to Chicago by the zealous delegation from Illinois, which vied with other groups in all sorts of demonstrations intended to advance the interests of the prospective candidates. Bands brayed at every street corner, cheering crowds paraded and the city overflowed with partisans possessing lusty lungs but no votes.

There were a number of "favorite sons." Salmon Chase of Ohio was one; Simon Cameron

of Pennsylvania was another, and several more had loud, if not very numerous supporters. But the leading candidate was Senator William H. Seward whose pledged followers unquestionably outnumbered those of any rival, and whose managers were, without exception, the most experienced and adroit politicians in the Republican organization. But powerful as they were, they lacked the contagious enthusiasm of the little group of intimate friends who came to Chicago, bent heart and soul on Lincoln's nomination. The dominating spirit of this devoted coterie was Judge David Davis of the Eighth Circuit, and at his beck and call were Judge Stephen Logan, Lincoln's former partner, and many another member of the bar associated with him in his daily practice. They lacked the political experience of Seward's representatives, but they were shrewd men, keen students of human nature, good mixers with all the rough-and-tumble delegates, affable, hard working and unitedly determined.

It was no easy task to persuade a majority of the states to accept a man about whom the country, as a whole, knew little or nothing, but

Davis and his associates immediately became so aggressive in pushing the claims of their candidate that Lincoln, following the proceedings from his home, grew apprehensive that their zeal might carry them too far. He therefore wrote Davis warning him to make no bargains or promises which would bind him in any way. But the resolute men who were fighting for him at Chicago against heavy odds laughed at his scruples and flew from delegation to delegation, arguing with this one, negotiating with that one and scattering promises with lavish hands. Nevertheless, when the first ballot was cast in the big "Wigwam" specially erected for the convention Seward led all his competitors by a wide and almost distancing margin. In fact, Lincoln, his closest rival, had only 102 votes to his 173½. But the very next ballot showed an astonishing change of front. Those for whom complimentary votes had been cast practically disappeared and the tally stood Seward, 184½, Lincoln, 181.

The Wigwam was in an uproar as the convention proceeded to take its third ballot and when the result was announced—"Lincoln 231½, Seward 180"—one of the Ohio delegates sprang

THE NOMINATION FOR THE PRESIDENCY

to his feet proclaiming a change of four votes from Chase to Lincoln, giving him the nomination.

Then bedlam broke loose. Bells rang, cannon thundered, whistles blew, processions bearing rails were formed, men yelled, shouted and wept for joy. A virtual orgy of rejoicing overwhelmed Chicago.

While all this hubbub was at its height the man it was intended to honor sat quietly in the office of the *Journal* in Springfield, and when the news reached him he slipped away to his own home, where the next day he met the Notification Committee of the Convention to accept the nomination in a few modest, grave words.

During the hectic campaign that followed Douglas toured the country day and night, addressing enormous throngs, while Breckinridge, nominated by the seceded Democrats, and Bell, the candidate of another group, were almost equally active. But Lincoln remained quietly at his home, refusing to make speeches, write anything for the press or submit to interviews. No attempt was made to protect him from the never-ending procession of visitors from all parts of the

LINCOLN

country who invaded his home, walking in and out of the house as they pleased. He received them all quite informally, listened to their advice, but good-naturedly declined to commit himself in any way. Occasionally he took refuge in the state capitol, where an office had been provided for the secretaries who wrestled with the enormous mail addressed to him by all sorts and conditions of men. But he wrote no public letters of any kind, and passed his rare hours of privacy wrapped in his own thoughts.

On November 6, 1860, when the ballots were counted and it was announced that he had secured 180 of the 303 electoral votes, he received the jubilant congratulations of his friends simply and unaffectedly, but so gravely that some of them began to fear that he was more appalled than gratified by the confidence reposed in him.

CHAPTER XXVIII

THE PRESIDENT-ELECT

THE Republicans were naturally elated at their success. In less than five years they had practically united all the foes of slavery and had developed from a mere party of protest into the dominant political power of the land—an amazing achievement. But for Lincoln it was fraught with anxieties. He had received upwards of two million votes—half a million more than Douglas, and far more than either Breckinridge or Bell, the other candidates. But combined their supporters outnumbered his by nearly a million. In other words, the majority of the people had voted against him and he must face the fact that he would be, at best, a minority President. Nor was that all. In fifteen states he had secured no electoral vote whatsoever, and in ten states not a single ballot had been cast in his favor.

Threats of secession by the cotton-growing states had been rife throughout the entire cam-

paign, but they had not disturbed him. He had heard the same sort of thing during Frémont's contest against President Buchanan and, although in that instance the Democratic victory had eliminated the danger, he had so often assured the slave states that he had no thought of interfering with them that he could not believe they would withdraw from the Union unless their rights were actually infringed, which he did not intend to permit.

Nevertheless, each day that followed the election brought proof that the cotton states, in general, and South Carolina, in particular, were making active preparations for secession and Lincoln was bombarded by appeals to declare his policy and allay the fears of the South. If he waited until Inauguration Day, his friends declared, the Union would be dissolved before he had taken office. His silence, they urged, was frightening the pro-slavery men and a positive reassurance from him would restore public confidence. But the President-Elect did not share this belief. His views had, he asserted, been repeatedly expressed orally and in writing through a long series of years, and those who cared to do

so could be confident that there was no cause for alarm. No mere repetition of the assurances he had constantly given and which were known to every citizen would have any influence. When his administration did, or threatened to do something detrimental to the rights of any state there would be plenty of time to revolt. He had faith to believe that his fellow countrymen were not going to condemn him in advance.

With those who insisted that President Buchanan's indifference to the secession movement was giving it dangerous encouragement, he smilingly agreed. "I am in the position of a junior counsel," he observed. "I may pull his coat-tail to warn him that he is throwing away his case, but I can't prevent him from doing it."

Then from all sides advice poured in upon him as to whom he should appoint as the members of his Cabinet. From Pennsylvania the suggestions came worded very much like a demand, and then, for the first time, he learned that his zealous partisans had virtually pledged him to offer Simon Cameron of that state a place in the administration. This was somewhat of a shock, for Cameron was not the sort of man Lincoln would

have chosen for one of his advisers and his selection would be sure to raise a storm of protest. But the promise had undoubtedly been made and he ratified it by notifying the Pennsylvanian that he would be made Secretary of War. To Seward he offered the secretaryship of state, and to Chase the treasuryship.

Those selections, it was thought, virtually sealed Lincoln's fate. In fact, if he had actually announced his abdication of office, the effect on the public could scarcely have been more convincing. Seward and Chase were popularly regarded as his social, professional and mental superiors in whose dominating hands he was bound to be a mere puppet. And the event proved that both his appointees shared that view.

Meanwhile South Carolina completed its preparations for withdrawal from the Union, and on December 20, 1860, passed its Ordinance of Secession. Five other states followed her lead and well within sixty days the seceders organized the Confederacy, to which five more states subsequently adhered.

All this was enough to shake the nerve of any man, and the whole country was on the verge

THE PRESIDENT-ELECT

of panic. But perhaps the calmest man was he upon whom the heaviest responsibility rested.

Lincoln prepared his inaugural address while the very foundations of the Union were tottering; slipped away from the horde of office-seekers that infested his home and even waylaid him in the streets, to bid farewell to his dearly loved old stepmother in Coles County; visited his father's grave and spent a few days with his boyhood friends in the neighborhood of New Salem.

Then he returned to his law office, where he requested Herndon to keep the firm alive and let the sign of their partnership remain undisturbed until he could resume his professional duties; spoke a few words to the group of neighbors gathered at the railroad station to wish him God-speed and, under darkening skies and a drizzling rain, started for the capital of the crumbling nation.

CHAPTER XXIX

INAUGURATED

IT was not without some disturbing incidents that Lincoln arrived in Washington. Rumors of plots to assassinate him filled the air; and, in spite of his protests, precautions were taken to insure his safety. But nothing occurred to justify them, and on March 4, 1861, when President Buchanan called at his successor's hotel to escort him to the Capitol no crowd assembled to witness the event. Nor did either of them attract any attention as they drove through the city. In fact, only a comparatively small group of spectators awaited them at the platform erected for the inaugural ceremonies.

Probably no President of the United States ever assumed his duties under more depressing conditions. There was nothing in the outward appearance of Lincoln at any time to inspire the casual observer with confidence, but on this occasion he was particularly unimpressive. He wore new and ill-fitting clothes which obviously

discomfited him, and his stubble of half-grown beard gave him an untidy look that marred the dignity of his finely chiseled features.

Judge Roger Taney, Chief Justice of the United States, whose opinion in the Dred Scott case had done more to arouse the resentment of the free states than any other utterance in the long struggle over slavery, administered the oath. The venerable jurist, wearing his official black robe, appeared to be almost at death's door, and the only man on the platform who seemed concerned for the comfort of the lonely man that confronted the meager audience was Senator Stephen Douglas,* who relieved his embarrassed rival of the tall silk hat which he carried in his hand. And it was he alone that nodded appreciation as Lincoln spoke—not to those who listened but to the seceding states.

In your hands, my dissatisfied fellow countrymen and not in mine is the momentous issue of civil war [he concluded]. The Government will

* From that time forward Douglas supported Lincoln, strongly opposed secession, advised his sons to uphold the Constitution and made a series of public addresses firmly advocating the preservation of the Union. Then he suddenly became ill and died June 3, 1861, at the age of forty-eight.

LINCOLN

not assail you. You can have no conflict without being yourselves the aggressors. You have no oath registered in heaven to destroy the Government, while I shall have the most solemn one to preserve, protect and defend it.

I am loath to close. We are not enemies but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection. The mystic chords of memory, stretching from every battlefield and patriot grave to every living heart and hearthstone all over this broad land will yet swell the chorus of the Union when again touched, as surely they will be, by the better angels of our nature.

That appeal has now become a classic enshrined in the literature of the English language. But it is something more. It is the creed to which Lincoln lived true—the expression of the sole ambition of his life.

CHAPTER XXX

ON THE VERGE OF WAR

NO President of the United States ever assumed office in the face of difficulties such as confronted Lincoln. Not only had the majority of the electors voted against him, but he was wholly without experience as an administrator and, except as he had met them in his law practice, quite unfamiliar with large business problems. His lack of administrative training was perhaps the least of his deficiencies, for the situation which he had to handle was absolutely unprecedented. In fact, the political leaders of widest experience signally failed to rise to the emergency and their obvious panic merely aggravated the welter of confusion.

It is no exaggeration to say that some of the propositions that originated in Congress for reconciling the seceding states and tiding over the crisis sound like the emanations of a madhouse. Bills were actually introduced to give the presidency to the South and the vice-presidency to the North each alternate four years, and every form

of weak-kneed offer to yield all that had been won at the last election was voiced in the babel inspired by wild-eyed apprehension and chattering fear. Even Seward who, after backing and filling, had accepted the office of Secretary of State and was generally regarded as the strong man of the Cabinet, completely lost his head and contributed, for Lincoln's guidance, a document of which the most charitable explanation is that it was the product of a temporarily disordered brain.

That paper, which he entitled "Thoughts for the President's Consideration," included a recommendation that Lincoln stir up a foreign war to unite the American people and make them forget their domestic differences. Had the President published that criminally lunatic suggestion Seward's friends would have had to remove him to a sanatorium, and the services of one of the ablest men in the country would have been lost at the most critical moment of its history. But Lincoln was not even tempted to dispose of his political rival by exposing his weakness. He probably knew that the public regarded him as a mere puppet in Seward's hands, and if he ever

had entertained any doubts as to whether or not his Secretary of State shared this view, they were completely dissipated by the "thoughts submitted for his consideration." In that incredible memorandum Seward had written, "Either the President must do this himself or devolve it on some member of the Cabinet. It is not my special province. But I neither seek to evade nor to assume responsibility."

One of Lincoln's greatest acts of magnanimity is that he absolutely suppressed that paper, which came to light only long after his death. He doubtless made allowance for the mental strain to which his distinguished associate had been subjected, and merely responded that if, as indicated, certain things had to be done by the President he (and he alone) must do them. From that moment Seward knew who was the master mind of the government, and, with a few lapses, he thereafter coöperated with and aided his chief as probably no other man of his day could have done. Thus, out of what was perhaps the acme of political derangement, there came to the nation the lucidity of a calm, clear thinking mind, undisturbed by one of the most distracting of the many

petty rivalries that harassed it while the existence of the Union was at stake.

Lincoln, keenly conscious of his inexperience, moved cautiously, testing his footing at every step, often pausing or changing his direction, but never retreating. His objective was the Union—the preservation of the nation. To achieve that he stood ready to lay aside all preconceived opinions as to the surest route for reaching the goal. But he had to be convinced that the surrender of his personal judgment would insure the national safety.

Upon the first steps to be taken he had firmly determined before he entered the White House. The initial one was the relief of Fort Sumter whose surrender had been demanded by South Carolina, and then, retaining the border states in the Union, to prevent the secession of North Carolina, Tennessee, Arkansas and Kentucky. In no part of this program was he completely successful. Yet the attack on Fort Sumter when its relief was attempted against the opposition of the majority of his Cabinet, welded the Union states with a solidity that foredoomed secession to failure as completely as though the frightful

war that followed had ended then and there.

It is futile at this day to follow the representations and misrepresentations that led to the attack upon the now famous fortress. Seward had not yet fully recovered from the mania for assuming the presidential functions and doubtless he, and others with even less authority, to some extent, misled the leaders of the Confederacy. But Lincoln never had any thought of abandoning Major Anderson, its commander, who, in the Black Hawk war, had mustered him in as a Ranger. The result was a demand by the government of South Carolina for his surrender, its prompt refusal and the bloodless bombardment of the fort, which he finally evacuated with all military honors.

Up to that moment the opinion of the Union states had been far from unanimous on the proper course to be pursued and there was, to say the least, no enthusiasm for the new administration. But with the firing of the first gun came a revulsion of feeling. Almost in an instant all factions united in lionizing Major Anderson and proffering unwavering support to his chief who had risen from the ranks.

CHAPTER XXXI

OPENING MOVES

IT is frequently asserted that Lincoln was a military genius. Of all the exaggerated claims that have been made for him this one would probably be the most distasteful to the man it is intended to honor. In fact, it almost seems as though he had anticipated some such absurdity by jocularly protesting, while a Congressman, that if he ever became a presidential candidate his friends should not make fun of him by attempting to write him into a military hero.

But it may be conceded that ability to select subordinates is an attribute of military genius, and Lincoln certainly displayed that quality when he tentatively offered the command of the Union army to Robert E. Lee. Indeed, it was nothing less than an inspiration to have sought the services of the man who, not only by his professional talents but by his character, was pre-eminently qualified for the duties with which it was intended to entrust him. But Virginia had

not then determined as to her part in the impending conflict, and Lee * was first and foremost a Virginian. He accordingly replied that while personally devoted to the Union, he could not draw his sword against his native state. The response honored Lee and, although he could not serve as Lincoln requested, there is probably no other man of the Confederacy who, by his example after the war, more perfectly coördinated his efforts with those of Lincoln for the complete restoration of the Union.

The President was not permitted to think out the innumerable problems that confronted him throughout his administration in the cloistered quiet of a study. The Republican party included thousands of hungry office-seekers who descended on the White House like a swarm of locusts and never for a moment left its occupant in peace. They hounded him in his official chambers, dogged his footsteps up and down stairs, pursued him in the street and pestered him beyond en-

* Lee was not only opposed to secession but to slavery. He had emancipated all his own slaves and as executor of his father-in-law (Mr. Custis) was gradually freeing the slaves of the Custis estate. Virginia had more than once come close to abolishing slavery within its borders.

durance. A man of different character would have angrily swept them out of his sight as a public nuisance, but Lincoln, who had never been accustomed to closing his door against any one, submitted to the outrageous waste of his time and energy until it well-nigh sapped his strength. When some one encountered him in a state of nervous exhaustion and anxiously inquired if bad news had been received from the front, he smiled wanly and shook his head. "No," he responded. "It's the postmastership at Jonesville." He was, he declared, like a man expected to satisfy the insistent demands of people for rooms in a burning building, regardless of the fact that while they clamored for quarters and he assigned them, the whole structure might collapse from sheer neglect.

But it was not only the office-seekers that plagued him to distraction. In the Cabinet he was sore beset. Shortly after the outbreak of the war England declared her neutrality—an entirely appropriate action, quite in accord with diplomatic precedent. But Seward, regarding it as a hostile act, almost tantamount, in his judgment, to recognition of the Confederacy,

indited a note to the American minister at London which, had it been presented in its original form, would certainly have suspended all further diplomatic intercourse between the two countries. Fortunately, however, Lincoln intervened and, taking the dispatch in his own hands, redrafted it from beginning to end.

Meanwhile public clamor for an advance upon the Confederate capital at Richmond became irresistible, and Lincoln yielded to it. Neither the Union nor the Confederate forces had been properly trained or sufficiently disciplined to take the field, but in leadership the Confederates were much superior, with the result that the Union army was disgracefully routed at Manassas and driven back on Washington in complete disorder.

The responsibility for securing a new commander for the shattered army immediately devolved on Lincoln, and on July 29, 1861, he selected Major General George B. McClellan, a West Point graduate who had retired from the service, reëntered it at the outbreak of the war, achieved some slight success, won the confidence of his men and fired the public imagination. No

more popular appointment could possibly have been made. But it was destined to tax Lincoln's already burdened shoulders to the breaking point and prove a severe test of his patience and forbearance.

It must have been with a feeling of relief that the President entrusted the conduct of the army to a man who possessed to an extraordinary degree the confidence of both soldiers and civilians. For a time at least he was freed of one of his most irksome responsibilities. But he was soon compelled to assume another onerous burden, and this time the navy thrust it upon him.

On November 8, 1861, the United States man-of-war, *San Jacinto*, commanded by Captain Wilkes, stopped the British mail steamer *Trent* on the high seas and took from her, by force, Messrs. Mason and Slidell, two Confederate commissioners to England, who were passengers on the mail boat. The British captain protested against their seizure, which was unquestionably illegal. Indeed, the United States had itself frequently condemned similar actions, insisting that those sailing under its flag were protected by it.

But popular opinion disregarded international

law and Captain Wilkes was acclaimed as a hero and accorded all sorts of public honors. It soon became apparent, however, that the arrest of the Confederate envoys had occasioned great indignation in England. Indeed, the first draft of the dispatch demanding their surrender was so worded by the Foreign Office that it would have been difficult for the United States to have yielded with dignity. Wiser counsels, however, prevailed and the tone of the dispatch, when finally presented, though still somewhat peremptory, conformed to diplomatic usage.

Had Lincoln been experienced in international law he would have repudiated Wilkes's action the moment he reported it. But unfortunately that was a branch of jurisprudence to which his attention had not been directed in his circuit practice. Seward, of course, was no stranger to the law of nations and apparently had no doubt from the very start that an illegal act had been committed. Yet he hesitated to force his views on the President by urging him to take an unpopular stand at the outset of his administration, and undoubtedly sympathized very strongly with the

public resentment at the unfriendly attitude assumed by the British press and some of its government officials toward the Union cause. In any event, the seizure was not immediately disavowed and invited a crisis. When it occurred, however, the Secretary of State rose to the occasion and strongly urged that it be handled in a statesman-like manner regardless of personal prejudices or public opinion. Lincoln accordingly disapproved the naval commander's action, surrendered his prisoners and, with due expressions of regret, closed the incident.

This episode, important in many ways, involved unfortunate consequences in the future. But it is particularly noteworthy because it records one of those rare instances where Lincoln's judgment erred. He was by no means immune from errors and he had frequent occasion to change his mind. When he made a mistake, however, he assumed entire responsibility for it, correcting it fearlessly without apologies. The marvelous thing is that, beset as he was by vexations and complications of all sorts, he made so few missteps. Then, again, the Mason and Slidell case is memorable as marking Seward's

OPENING MOVES

recovery from the unfortunate delusions which at first marred his effective coöperation with his chief. From that time onward he strove to think with and not for the President.

CHAPTER XXXII

A TEST OF PATIENCE

GENERAL GEORGE McCLELLAN was only about thirty-four years of age when he became the commander in chief of the Union army, and no man ever responded to the call of duty under more favorable auspices. His youth and personal magnetism appealed to the public which enthusiastically hailed him as "the little Napoleon" without waiting for any proof of his military capacity, and this of itself infused the troops with confidence long before they came under his command. But though his reputation as a field general had practically no foundation, his ability as an engineer had been recognized by the Illinois Central Railroad into whose service he had entered shortly after his graduation from West Point, and he had fully met the responsibilities placed upon him. His popularity, self-confidence, sound training and success in civilian life all combined to convince Lincoln that he was the man of the hour. But he had another qualifi-

cation which had great influence with the President in promoting him over the heads of far more experienced soldiers. He was a prominent Democrat and Lincoln earnestly desired that both Democrats and Republicans should unite in the effort to maintain the Union and that the war should be conducted regardless of party lines.

McClellan lost no time in confirming the high opinion which had been formed of his ability. He speedily created order out of the chaos of confusion in which he found the forces entrusted to his charge in the summer of 1861 and within a year molded the Army of the Potomac into the best trained and most perfectly equipped fighting unit that had ever been assembled in the country. His every demand was instantly complied with and no commander could have asked for more loyal support than he received from all departments of the administration. By October, 1861, there had been placed at his disposal nearly 150,000 men, although his tally of the forces rarely agreed with that of the government. As Lincoln once remarked, the task of supplying him with men seemed "like shifting fleas across a barn floor with a shovel—not half of them seemed

to get there." Nevertheless, he unquestionably had a far larger and better equipped army under his control than the Confederates possessed. Yet he appeared in no hurry to take advantage of the situation. Indeed, long after his organization had been perfected he remained so completely inactive that the public in general, and the press in particular, began to grow impatient, and no suggestions from the administration as to employing the weapon in his hands made any impression on the young commander. Finally, in January, 1862, when he became ill, Lincoln requested some of the other generals to meet him and discuss the situation. "If General McClellan does not want to use the army," he good-naturedly remarked, "I would like to borrow it."

There was something more than humor in that observation, for McClellan had gradually come to regard the army as his private property and the adulation he had received from the public had gone to his head. He not only considered himself superior to the administration and indispensable to the country but did not hesitate to show his disdain of the President and his advisers on every

possible occasion. Indeed, he carried this so far that the members of the Cabinet began to lose all confidence in him. Nevertheless, Lincoln continued to support him loyally, overlooking his arrogance and submitting to personal slights which no one, save he, would have endured for an instant.

But McClellan utterly misconstrued the forbearance of his patient chief toward whom, as time passed, he exhibited nothing less than downright contempt. To save him inconvenience Lincoln frequently called at his home, instead of summoning him to the White House for consultations, and in many other respects showed him a deference which members of the Cabinet criticized as undignified. It was undoubtedly a mistaken kindness, for it confirmed McClellan in his opinion of his own importance and finally encouraged him to an act of such gross insolence that it could not be condoned.

One evening he permitted the Chief Magistrate of the nation and the Secretary of State to wait in his reception room for a considerable period and then sent a messenger to announce that he had retired for the night and could not see them.

Seward was naturally indignant and did not hesitate to characterize such conduct as an outrageous affront to the President's dignity. But Lincoln overlooked this and similar offenses, merely remarking that he would hold McClellan's horse for him if he would only achieve success. However, he never again called on the insolent young general, although he continued, in every way, to encourage and support him.

The Army of the Potomac finally took the field about March, 1862, and then evidence of McClellan's deficiencies multiplied. He developed a mania for overestimating his opponents' strength and magnifying his own difficulties. Again and again he outnumbered the Confederates two, and even three, to one, yet he clamored lustily for reënforcements, complained that he was being sacrificed and conceived the notion that a conspiracy existed in Washington to ruin him. At one moment he was in the depths of despair and at the next so exultantly overconfident that he indulged in extravagantly childish boasting. The net results were a series of defeats and disasters almost unparalleled in the history of warfare, for which he blamed the ad-

ministration in general, and Lincoln in particular, with unremitting bitterness. On one occasion he went so far as to write the Secretary of War: "If I save this army now, I tell you plainly that I owe no thanks to you nor to any other persons in Washington. You have done your best to sacrifice this army."

The only response which any officer could reasonably expect to such a tirade would be an order removing him from his command and summoning him before a court-martial. Fearing this result, one of the staff officers somewhat softened the wording of the dispatch before transmitting it, although its insolence could not be wholly concealed. But Lincoln resorted to no harsh measures. On the contrary, he sought to excuse the insubordinate outburst on the ground that it must have been written while McClellan was laboring under excitement that had temporarily affected his mind. With this idea he personally wrote him a soothing note exonerating him from blame and assuming all responsibility for the disaster.

Of course there was some ground for McClellan's repeated claims that his plans were interfered with by the government. He had un-

doubtedly been hampered by too much well-meant advice and far too much control from Washington. The Congressional Committee on the Conduct of the War proved to be a meddling body, and the Secretary of War, the President and his military adviser frequently issued orders that handicapped the field commander. But similar difficulties occur in every war. It is impossible for any government to give its military representatives an entirely free hand. Questions of national policy must always be considered and sometimes must control army movements, even at the cost of damaging a campaign. For instance, it was of the first importance that Washington should, at all times, be adequately protected, for its capture might have been followed by the recognition of the Confederacy by foreign powers. Undue anxiety about the safety of the capital occasionally resulted in withholding reënforcements upon which McClellan counted, and he invariably seized on such excuses to shift to others the responsibility for his defeats.

The real reason for his failures, however, was that he confronted the ablest military leaders that this country ever produced. Generals Joseph

Johnston, Stonewall Jackson, Ewell, Longstreet, Stuart, and many other famous Confederate commanders were infinitely his superiors in all that pertains to the handling of an army in the field. And of course he had no more chance than an amateur would have had against a master strategist like Lee. As a matter of fact, his opponents read him like a book and Stonewall Jackson, his classmate at West Point, never failed to take advantage of all his known weaknesses.

As an engineer and organizing genius he possessed high talent, but he had practically no experience in the art of war and never developed any aptitude for it. Yet even when his defects were plainly demonstrated, Lincoln hesitated to remove him, for there was no one in sight that suggested a promising successor. Hoping against hope he kindly and earnestly endeavored to win his confidence, repeatedly warning him that the country was interested only in results and not in excuses for failing to produce them. For a time he was partially superseded by General Pope, who proved utterly incapable, but restored to full command when Lee threatened Maryland.

At this crisis fortune placed his adversary in the hollow of his hand, for a soldier picked up a package of cigars wrapped in a paper which proved to be a complete outline of Lee's plans. But even with this vital document in his possession, his overcaution and dilatory movements lost the great opportunity that had been afforded him. Indeed, before the Union army arrived within striking distance Lee had learned that his plans were discovered, altered them with lightning speed, and with only 55,000 available men to his opponent's 87,000, succeeded at Sharpsburg on Antietam Creek, in making a drawn battle out of what might have been an overwhelming defeat. Then he leisurely retired from Maryland unmolested by his adversary.

In vain Lincoln counseled, urged and commanded his general to follow the retreating forces, even visiting him for three days in the field to emphasize the necessity for action, and writing him in the kindest spirit to consider the advantages of speeding his movements. But McClellan continued to procrastinate, and not until November 1st—over six weeks after the battle—did his army cross the Potomac in the wake of

A TEST OF PATIENCE

Lee. This was too much for the long-enduring President and after a sharp criticism—almost the only one he had permitted himself to formulate throughout the entire struggle—he relieved the obdurate officer from his command, naming General Burnside as his successor.

CHAPTER XXXIII

RESISTING PRESSURE

THROUGHOUT his long and exhausting experience with McClellan Lincoln's mind had been struggling with the most momentous problem of the war. The party that had elected him to the presidency had pledged itself to oppose the extension of slavery, and that avowed policy had precipitated the secession movement.

The Confederates, however, had not emphasized the slavery issue in their withdrawal from the Union. They had rested their case almost wholly upon the theory that each state had joined the Union separately for its own convenience and had impliedly reserved the right to withdraw at its pleasure. From an historical and legal standpoint there was much to support this contention, but there were, at least, two sides to the question. As a subject of debate it was interesting; but had there been no other issue at stake, it is probable that it could and would have been settled without bloodshed. The real cause

of the war was the existence of slavery which eleven states wished to prolong and twenty-three states desired to extinguish. Of course there were many individuals in the Confederacy who disbelieved in slavery and fought solely for states' rights. On the other hand, there were any number of Unionists indifferent to slavery but devoted to the preservation of the Union. In any event, neither side openly and frankly admitted that the institution of slavery was responsible for the outbreak of hostilities. The majority states asserted that the Union was indivisible and the minority challenged them to prove it.

In his inaugural address, before a shot had been fired, Lincoln distinctly stated "*I have no purpose, direct or indirect, to interfere with the institution of slavery in the states where it exists. I believe I have no right to do so and I have no inclination to do so.*"

Had the Confederacy declared that it was fighting to perpetuate slavery, it would have lost the support of many of its ablest men and forfeited the sympathy of Europe. Had the Unionists proclaimed a crusade against slavery, they

would have offended some of their associates and won the approbation of the civilized world.

But no disinterested foreigner could be expected to display anything but indifference toward a struggle to determine whether the Union was or was not dissoluble, and whatever sympathy such an issue did invite was, naturally, for those who were struggling to terminate a distasteful partnership.

Lincoln fully realized this situation. But from the very start he regarded the whole country, and not merely one section of it, as responsible for the existence of slavery and had faith to believe that it could be extinguished by peaceful means. It was expressly protected by the Constitution and until the provisions of that document were amended by the people it became his duty, as President, to uphold the law of the land as he found it.

Of course the whole situation had been radically changed by the outbreak of civil war, but for at least a year and a half after the formation of the Confederacy, Lincoln continued to regard the seceded states as parts of the Union and refused to permit any interference with their rights

under the Constitution. For this reason he repudiated, on September 11, 1861, the action of General Frémont in issuing a proclamation freeing the slaves in Missouri, much to the indignation of many Republicans and of all Abolitionists.

In March, 1862, he recommended to Congress that the United States "coöperate with any state which should adopt gradual abolishment of slavery by giving it pecuniary aid to compensate for losses, public or private, that might be produced by such a change in its system."

Congress passed the necessary resolution, which applied to all states regardless of whether they were in the Union or claimed to be out of it. No response to this suggestion came from any Confederate state. But Lincoln was not discouraged. In April, 1862, he successfully negotiated an effective treaty with Great Britain for suppressing the African slave trade, and his action, ratified by the Senate without a dissenting vote, was hailed by the Union states as an encouraging proof that the President had not, as some of his critics charged, become indifferent to the slavery issue. Nevertheless, a few weeks

later when Congress passed a very radical confiscation bill, virtually emancipating slaves in the Confederacy and it became known that the President intended to veto it, he found himself violently attacked by the anti-slavery men, who did not hesitate to charge him with disloyalty to those who had elected him and with traitorous solicitude for the secessionists. Lincoln, however, disregarded all such accusations and, insisting that Congress had no power to abolish slavery in any of the states, refused to sign the bill until his objections to it were met. The Senate yielded, but not without bitter protests that it was being coerced by the President and forced to "await the royal pleasure" before its will could be enacted into law.

Meanwhile, another army officer attempted to take matters into his own hands, for on May 9, 1862, General Hunter issued an order emancipating all slaves in Georgia, Florida and South Carolina. Again Lincoln promptly intervened by declaring the order absolutely void regardless of the storm of indignation which followed his action.

It is quite impossible to exaggerate the nervous

strain which he endured in defense of his policy. The pressure came from all sides and was remorselessly applied. Never a day passed without subjecting him to it in every form which political expediency or fanaticism could devise. Yet he remained firm in his determination to achieve emancipation by popular consent. With this idea, he issued an appeal to the border states to take the lead in initiating measures for the gradual abolishment of slavery on the basis of compensation to be provided by the government.

"I do not argue," he wrote. "I beseech you to make arguments for yourselves."

But nothing happened, and two months later the discouraged Executive submitted to his Cabinet the draft of a proclamation giving nominal freedom to slaves within the seceded states which he proposed to issue solely "as a necessary military measure for the restoration of the Union," and to be accompanied or followed by a recommendation for legislation covering compensation. This announcement came almost as a complete surprise to the members of the Cabinet, but was generally approved. Seward,

however, suggested that it be postponed until the military situation had improved; otherwise it might be regarded as a sign of weakness rather than strength. Lincoln immediately saw the force of this criticism and withdrew the paper.

No news of this episode reached the public, and about a month later Horace Greeley, the famous editor of the New York *Tribune*, published an open letter to the President which, to no slight extent, voiced the popular discontent with Lincoln's policy. Greeley was then at the very height of his power and the influence of his paper had become enormous. In fact, the editor had grown to believe that he was the real power behind the government and could enforce his opinions upon it almost at will. However that may have been, he adopted a most offensively overbearing tone in addressing the President; did not hesitate to proclaim himself the spokesman "of twenty million people"; charged Lincoln with remissness in the performance of his official duties; accused him of being the tool of politicians, and influenced by timid councils, implied that he was showing mistaken deference to the South or otherwise upholding slavery and "re-

quired" him, in the name of the people, to execute the laws.

Lincoln did not see that arrogant epistle until two days after its publication. Had he elected to disregard it on the ground that it was beneath his official dignity to answer a communication so indecorously worded, he would have been entirely within his rights. No such thought, however, entered his mind and, controlling the indignation he must have felt, he immediately indited and published the following masterful reply:

I have read yours of the 19th addressed to myself through the New York *Tribune* [he wrote],

If there be in it any statements or assumptions of fact which I may know to be erroneous I do not, now and here, controvert them. If there be in it any inferences which I may believe to be falsely drawn I do not, now and here, argue against them. If there be perceptible in it an impatient and dictatorial tone I waive it in deference to an old friend whose heart I have always supposed to be right.

As to the policy I "seem to be pursuing," as you say, I have not meant to leave any one in doubt.

I would save the Union. I would save it in the shortest way under the Constitution.

If there be those who would not save the Union unless they could, at the same time, save slavery, I do not agree with them.

. . . If there be those who would not save the Union unless they could, at the same time, destroy slavery, I do not agree with them.

My paramount object in this struggle is to save the Union, and is not either to save or to destroy slavery.

If I could save the Union without freeing any slave, I would do it; and if I could save it by freeing all the slaves, I would do it; and if I could save it by freeing some and leaving others alone, I would also do that.

What I do about slavery and the colored race, I do because I believe it helps to save the Union; and what I forbear, I forbear because I do not believe it would help to save the Union. . . . I shall try to correct errors when shown to be errors, and I shall adopt new views so fast as they shall appear to be true views.

It is doubtful if English literature records any finer example of concise, clear and convincing statement than that famous letter. It absolutely silenced Greeley for a time, completely satisfied

the general public, fully upheld the dignity of the nation and brought to its harassed leader the encouraging assurance of popular support.

But the relief which this afforded the President was short-lived, for criticism soon became rampant again and the pressure which had almost exhausted him, was renewed. All sorts of people pestered him with advice, instructed him as to his duties and, by letters, resolutions, committees and delegations, sought to force his hand in the slavery issue. It was wearing work to make courteous responses to all these self-appointed guardians of the public welfare, and Lincoln's phenomenal patience must have been almost at an end when a group of Chicago clergymen intimated that it had been divinely revealed to them that the ill success of the Union armies was a token of God's displeasure at the continuance of slavery. This was almost more than the wearied Executive could bear.

I hope [he responded] it will not be irreverent for me to say that if it is probable that God would reveal his will to others on a point so connected with my duty, he would reveal it directly to me . . . for it is my earnest desire to know

LINCOLN

the will of Providence in this matter. And if I can learn what it is, I will do it. These are not, however, the days of miracles and I suppose . . . that I am not to expect a direct revelation.

CHAPTER XXXIV

THE EMANCIPATION PROCLAMATION

WITHIN a month from the date of Greeley's letter General Lee had invaded Maryland and the fate of the Union seemed to hang on the issue of his venture. No wonder Lincoln had watched McClellan's movements with deep anxiety and when the Confederate advance, checked at Sharpsburg, was followed by a successful retreat across the Potomac, he grew impatient with his general's dilatory tactics. Of course there was no certainty that such a commander as Lee would be unable to extricate himself from the difficult situation in which he found himself. But he had a broad river in his path and with all his genius it might have been impossible for him to cross it in safety had he been skillfully pressed.

It was for some such opportunity as this that Lincoln had been waiting to launch the emancipation proclamation. The invasion of Maryland had been thwarted but that, at best, was merely a

negative success, far short of the convincing display of power which the occasion required, and for this reason he had fairly implored McClellan to follow up his advantage. But as the days passed without bringing even a promise of energetic action, he abandoned all hope of a more favorable result, and on September 22, 1862, called a meeting of the Cabinet.

It is doubtful if those who attended the conference knew the purpose for which the President had summoned them. Nor did they immediately learn it. When the members of the Cabinet had assembled Lincoln picked up a book by Artemus Ward, the popular humorist of the day, and proceeded to read aloud a chapter which appealed to him as particularly amusing. Some of the listeners laughed politely as the reading continued, but others made no attempt to conceal their impatience at such frivolity. And doubtless for them it was a sheer waste of time. Not so, however, for Lincoln. Probably he had never heard of the French paradox to the effect that "the time best spent is the time we waste." But at moments of stress and strain he acted on it, precisely as he had done during his circuit days when

he sought, in wit and humor, a release from pressing anxieties.

The six days that followed Lee's retreat had subjected him to a nervous tension that had to be relaxed, and Ward's droll pages afforded the necessary relief.

Certainly he was calm enough when he laid the book aside and drew from his pocket an amended copy of the proclamation which he had previously submitted to his advisers. On this occasion, however, they were not requested to act in an advisory capacity. On the contrary, he at once announced that he would not invite an expression of opinion, having firmly made up his own mind to issue the preliminary proclamation he was about to show them and to assume entire responsibility for it as a war measure under his authority as supreme commander of the military and naval forces of the United States. With this explanation he read the document. It provided that, with certain designated exceptions, all slaves in seceded states which failed to resume their functions in the Union by January 1, 1863, would, on that date, be declared free.

This was, at most, a warning to the Confed-

eracy of what might happen if the war did not close within about three months. The final proclamation which followed this warning had no application whatsoever to Tennessee, nor to a number of counties or parishes in Louisiana and Virginia expressly named in the final edict and excepted from its terms, because that part of the Confederacy was already controlled by the Federal armies and Lincoln was anxious not to overstep the limits of his military authority. Save as a necessary war measure, he neither had the power under the Constitution to interfere with the institution of slavery in any place where it already existed, nor, to use his own words, had he "any inclination to do so." That there might be no misunderstanding about this, the proclamation specifically provided that "*the excepted parts are for the present left precisely as if this proclamation were not issued.*"

He had no more idea of attempting by proclamation to extinguish slavery in the Union-controlled Virginia, Tennessee and Louisiana than he had of eliminating it in Missouri, Maryland, West Virginia and Delaware, where it then pre-



ABRAHAM LINCOLN

Brady photograph, 1863, about the time of the emancipation proclamation. From the collection of Frederick Hill Meserve.

THE EMANCIPATION PROCLAMATION

vailed and where it continued in full force long after the proclamation became effective.

Such was the instrument which is popularly supposed to have ended slavery in America with the finality of a thunderbolt. It did nothing of the sort. Nor did Lincoln emancipate the slaves. He did something far greater.

A less scrupulous man than he might, under pressure, have yielded to the temptation of usurping his authority. A dictator, avid of power and ambitious to figure in history as the Emancipator who, by a stroke of the pen, broke the shackles of slavery, would certainly have seized the opportunity to do so and claimed that the end justified the means. But Lincoln was neither seeking self-glory nor posing as an emancipator. His ambition was to have slavery end, *not by the edict of any one man, but by the will of the American people.*

On September 23, 1862, the preliminary proclamation was published. Probably no one believed—least of all its author—that any such threat would cause the seceded states to abandon hostilities. Their military position was far too secure. Yet there was some chance that the

Union armies might alter the situation within ninety days, and if they did the news of the proclamation might spread, resulting in a general exodus of the slave population. It was estimated that at least a hundred thousand slaves were serving as labor troops behind the Confederate lines and, of course, many more were producing food supplies and war material. Even with good organization, approximately three men in the rear are required to support one man at the front, and the number of combat troops available to the South was so strictly limited that slave labor was a vital factor in enabling its armies to keep the field. Every slave that escaped was an economic loss to the Confederacy affecting its war effort, but whether the drainage would be materially increased by the proclamation was extremely doubtful. The vast majority of the slaves were safely beyond the reach of their would-be deliverers, no small proportion were devoted to their masters and would not desert them, even if they had the opportunity, and the chances were that comparatively few would ever hear of the proclamation. Nevertheless, it was fair to assume that it would encourage run-

THE EMANCIPATION PROCLAMATION

aways and to whatever extent it did so, the resistance of the seceded states would be handicapped. As a war measure, therefore, it was amply justified.

Up to that time, however, very few if any negroes were employed as combat troops in the Union army * and none at all served as soldiers in the Confederacy until its white man power had been well-nigh exhausted and the tide of battle turned against it.

At the commencement of the war the military odds had been decidedly in favor of the South. Its population, as a whole, was much more adapted to military life than that of the Union states, far more enthusiastic for the war and better prepared for it. Moreover, its armies held the interior lines, were operating on familiar ground and, most important of all, were handled by infinitely abler leaders. But by 1863 the potential strength of the Union states began to de-

* About fifteen months after the emancipation proclamation took effect Lincoln stated that at least 130,000 negroes were serving in the Union forces as soldiers, sailors or laborers. (Letter to A. G. Hodges, April 4, 1864.) The Confederate Congress passed an act for enlisting negroes, March 13, 1865, but slaves were utilized unofficially as laborers (not troops) in the Confederate military service almost throughout the war.

velop and once fully exerted could not be denied. Indeed, their latent power^d was overwhelming. Twenty-three states, with a population of over twenty-two millions, almost completely controlling the sea and the manufacturing industries of the country, were arrayed against eleven states with nine million inhabitants, largely engaged in agriculture and practically cut off from the sea. There could be but one end to such an unequal struggle.

Unquestionably all thinking men in the Confederacy must have realized this situation, and there was a bare possibility that within the ninety days allowed by the emancipation proclamation they might conclude that they could make better terms inside the Union than out of it. But the splendid fighting spirit they displayed throughout the war, and which is now a matter of common pride to the whole country, spurned the threats of the preliminary proclamation.

CHAPTER XXXV

THE AFTERMATH OF THE PROCLAMATION

McCLELLAN was still the idol of his troops and, to no small extent, a popular hero when Lincoln issued his warning to the Confederacy. But almost half of the ninety days' notice passed without any serious effort on his part to improve the military situation, while his political activities opened him to the suspicion that he had not, to say the least, any sympathy with the administration. The result was that on November 5, 1862, the President's patience became exhausted and he relieved "the little Napoleon" of his command.

His successor, General Ambrose Burnside, was a very different type of man, modest to the point of diffidence, unambitious for authority, and reluctant to assume responsibilities. Perhaps Lincoln selected him because of those qualities, but the choice was certainly unfortunate. He not only lacked confidence

in himself, but was mistrusted by all his associates, and from the very outset demonstrated his utter incapacity to handle the task which he had most unwillingly accepted. Indeed, his campaign against Lee was perhaps the worst of the many sorry exhibitions of generalship which had disheartened the Unionists, and within a few weeks he met with a disastrous defeat at the battle of Fredericksburg, suffering murderous losses. The press immediately accused Lincoln of having forced his amateur strategy on the General, but Burnside promptly denied that his chief had been in any way responsible for his failure which he attributed to the insubordination of his principal officers. In fact, he prepared an order removing General Hooker, General Franklin and several other ranking commanders, requesting the President to either approve their dismissal or accept his resignation. Lincoln chose the latter alternative, and shortly after the emancipation proclamation took effect, appointed Hooker to the vacant post.

General Joseph Hooker, popularly known as "Fighting Joe," was an officer with a good field record and a picturesque personality that had

made him a favorite with the public. His dash and self-confidence appealed to the troops and no commander, with the possible exception of McClellan, fired them with more enthusiasm. All subordinate officers adored him although some of his superiors had found him extremely difficult, for he had not only criticized their tactics but had been most unguarded in his references to the administration's conduct of the war. This, however, had not damaged his reputation with the general public. In fact, it rather admired the freedom with which he aired his opinions and had come to regard him as a military oracle who had the science of war at his finger ends. Of all this Lincoln was fully aware, and it was not without some misgivings that he decided to comply with the popular demand. But he could not permit the new general to assume his duties under any misapprehension as to the reasons for his selection or the results which he would be expected to produce. He accordingly drafted and forwarded to Hooker what is, undoubtedly, the most remarkable notification of a promotion that any army officer ever received.

GENERAL [he wrote]:

I have placed you at the head of the Army of the Potomac. Of course I have done this upon what appear to me to be sufficient reasons. And yet I think it best for you to know that there are some things in regard to which I am not quite satisfied with you. I believe you to be a brave and skillful soldier which, of course, I like. I also believe you do not mix politics with your profession, in which you are right. . . . But I think that during General Burnside's command of the Army you have taken counsel of your ambition and thwarted him as much as you could, in which you did a great wrong to the country and to a most meritorious and honorable brother officer.

I have heard, in such a way as to believe it, of your recently saying that both the Army and the Government needed a Dictator.

Of course it was not for this, but in spite of it, that I have given you the command. Only those generals who gain successes can set up dictators. What I now ask of you is military success and I will risk the dictatorship. . . . I much fear that the spirit which you have aided to infuse into the army of criticizing their commander and withholding confidence from him will now turn upon you. I shall assist you as far as I can to put it

Be it enacted by the State of Delaware, that our
creditors the United States of America will, at the
present session of Congress, engage by law to pay, and
thereafter faithfully pay to the said State of Delaware,
in the six per cent bonds of said United States, the
sum of seven hundred and nineteen thousand
and two hundred dollars, in five equal annual
installments, there shall be neither slavery, nor
voluntary servitude, at any time after the first
day of January in the year of our Lord one
thousand eight hundred and sixtyseven, within
the said State of Delaware, except in the pun-
ishment of crime, whereof the party shall have
been duly convicted: Provided, that said State
shall, in good faith prevent, so far as possible, the
carrying of any person out of said State, into invol-
untary servitude, beyond the limits of said State,
at any time after the passage of this act; and
shall also provide for one fifth of the adult slave
becoming free at the middle of the ^{year} one thousand
eight hundred and sixtytwo; one fourth of the re-
mainder of said adults, at the middle of the
year one thousand eight hundred and sixtythree;
one third of the remainder of said adults at the
middle of the year one thousand eight hundred
and sixtyfour; one half the remainder of said
adults at the middle of the year one thousand
eight hundred and sixtyfive; and the entire re-
mainder of adults, together with all minors, at the
beginning of the year one thousand eight hundred
and sixtyseven, as herebefore indicated. And pro-
vided also that said State may make provision of
apprenticeship not to extend beyond the age of thirteen
or year for males, nor sixteen for females, for all
minors whose mothers were not free, at the perfecting
birth of ^{such} ~~said~~ minors.

FIRST DRAFT, IN LINCOLN'S HANDWRITING, OF A BILL FOR
COMPENSATED EMANCIPATION OF SLAVES IN DELAWARE

From the collection of the late William H. Lambert
Courtesy of The Century Company

down. . . . Beware of rashness, but with energy and sleepless vigilance go forward and give us victories.

That masterpiece of reproof is said to have moved Hooker to tears, but within four months he had greater cause for weeping. At Chancellorsville he was superbly outgeneraled by Lee and Stonewall Jackson who, with only half the forces at their adversary's disposal, routed part of the Union army and compelled the rest of it to seek refuge behind the Rappahannock River. But Lee counted this great victory as a calamity, for it cost the life of Stonewall Jackson.

The days following the disaster at Chancellorsville were crowded with anxieties for Lincoln. There were rumors afloat that France was reconsidering the recognition of the Confederacy and might renew her unsuccessful attempt to persuade England to take joint action with her; the public, losing confidence in the administration, was turning to the Democratic party for salvation; volunteers were failing to present themselves in sufficient numbers to recruit the army and resort had to be made to the draft, which,

THE AFTERMATH OF THE PROCLAMATION

more or less unpopular everywhere, had, in some localities, been resisted; the Treasury was having difficulty in raising the necessary funds to finance the war; loud-mouthed orators were touring the country, not only demanding peace at any price, but inciting the troops to mutiny, and the arrest of some of the most dangerous agitators aroused storms of protest from their followers.

In fact, it almost seemed as though the emancipation proclamation had proved to be a boomerang, not only in a military sense, but civically as well. Certainly as a war measure it had signally failed, for since its issuance the Confederacy, instead of weakening, had gained strength and its armies had practically carried everything before them. Slaves escaped, of course, but not in much greater numbers than they had done before and, except in a legal sense, they were no more free than they had been when runaways reached free soil prior to the proclamation. Nor had it encouraged Lincoln's ceaseless effort to achieve emancipation by purchase. This had become the very backbone of his policy, but though he had demonstrated that all the slaves in Delaware could be bought for less than

LINCOLN

the total cost to the country of one-half a day's war, and that every slave in Delaware,* Maryland, Missouri, Kentucky and the District of Columbia could be acquired for less than eighty-seven days' war expenditure, the proposition had received virtually no support. No saner or fairer suggestion for the voluntary abandonment of slavery had ever been made, yet it had been disregarded, and to all practical purposes the emancipation proclamation had not resulted in freeing even a single slave. It is difficult to imagine a more discouraging situation. Nevertheless, an even darker day was already dawning, for in the midst of the gathering difficulties and disappointments Lee, at the head of his heretofore invincible army, began to sweep northward into Pennsylvania.

* Lincoln, himself, drafted the bill which was introduced in the Delaware legislature for the gradual compensatory emancipation of the slaves in that state. It was defeated. The MS. of this bill in Lincoln's handwriting (formerly belonging to the late Major William Lambert) is probably the most valuable Lincolniana document in existence.

CHAPTER XXXVI

GETTYSBURG

HOOKER, somewhat dazed by the rough lesson he had received in the science of war at Chancellorsville, had not fully recovered from the shock when the news reached him of Lee's move. In fact, he was plainly bewildered by his opponent's strategy and had no clear idea of the point from which or against which the expected attack would be directed. The result was that he scattered his forces in an effort to cover the whole field of maneuver, rendering concentration in any particular area extremely difficult. His first constructive suggestion was to attack the rear of the advancing Confederate army, and this idea he submitted to the already overburdened President.

"I have but one idea which I think worth suggesting to you," Lincoln responded. "I would not take any risk of being entangled on the river [Rappahannock] like an ox jumped half over a fence and liable to be torn by dogs in front and

rear, without a fair chance to gore one way or kick the other."

Hooker then proposed an attack on Richmond, which he felt sure would divert Lee and end the war. But Lincoln would countenance no such scheme. Undismayed by the panicky confusion surrounding him and undisturbed by the contradictory recommendations which reached him from every direction, he kept his head, and in one memorable sentence, outlined, not only the best means of meeting the immediate crisis, but the policy which should—and finally did—govern the entire operation of the war.

"I think Lee's army, and not Richmond, is your sure objective," was his calm response to Hooker's proposition.

It is possible that that keynote of the correct strategy may have been struck by others before it was sounded by Lincoln. But if so, it met with no response until he placed his finger upon it with the same sure touch that enabled him, as a lawyer, to diagnose "the real point in the case."

From that moment Hooker began to think more clearly, and his handling of the forces under his command became characterized by good judg-

ment and skill. But he no longer possessed the confidence of the public and as Lee's plan for invading the North assumed more definite shape, demands reached Lincoln from all parts of the threatened area that Hooker be removed and McClellan recalled from retirement to save the situation. Lincoln had no intention of resorting to any such desperate expedient, but it was not easy to withstand the insistent appeals from governors of states, municipalities and groups of prominent men, imploring him to reinstate the still popular general. To answer all such communications at a critical moment was impossible, but Lincoln did spare the time for a kind and highly sympathetic reply to the Governor of New Jersey.

"I beg you to be assured," he wrote, "that no one out of my position can know so well as if he were in it the difficulties and involvements of replacing General McClellan in command."

Nevertheless, within a few days, while business was almost at a standstill, the markets of the country in a panic and the capture of Harrisburg, if not Philadelphia, freely predicted, the President found himself confronted with the ne-

cessity of changing commanders. Rightly or wrongly, Hooker had involved himself in a controversy with General Halleck, the military adviser at Washington, and in a fit of rage wired his resignation.

Whatever may have been the provocation for such an action, it was an unpardonable offense in an officer of Hooker's standing on the eve of a critical engagement, and Lincoln could not overlook it. Nor was there a moment to lose. He accordingly relieved Hooker at once and appointed General George Meade at his successor. It was a perilous move, but Meade rose to the occasion and began drawing his forces together with such celerity and skill that Lee, rapidly pressing forward, observed the change and concluded, without actually knowing it, that a new hand controlled the Union army.

The Battle of Gettysburg which followed did not, however, reflect carefully planned maneuvers either on the part of Lee or Meade. It was forced upon them by a minor clash between the approaching troops which rapidly involved greater and greater numbers until it precipitated a general engagement resulting in what

GETTYSBURG

has come to be regarded as one of the decisive battles of the world.

But, strictly speaking, Gettysburg was not a decisive battle. Even after Pickett's famous charge, in which the finest troops of the Confederacy were almost annihilated, Lee withdrew his army in good order, waited for days until the flooded Potomac River subsided and crossed it practically unmolested.

Lincoln followed the Confederate retreat with feverish anxiety. If it were safely accomplished he knew that the war might continue almost indefinitely, and an opportunity to close it seemed at hand. But in spite of all urging, Meade moved out of his entrenchments with the utmost possible precaution and never even threatened his handicapped opponent. From Lincoln's standpoint it was the Battle of Sharpsburg over again—a great chance of ending the war, completely and even obstinately missed. In his bitter disappointment he wrote a dignified letter of reproach to Meade—more in sorrow than in anger—unmistakably charging him with the responsibility for prolonging the war.

But that letter was never sent. Probably the

LINCOLN

overwrought President remembered the advice he had given Seward when the Secretary of State had, at a moment of great tension, announced his purpose of writing an unbridled dispatch to a foreign government.

“By all means do so,” Lincoln had responded.

But when the dispatch was submitted to him his only comment was “Fine! Now tear it up.”

“What!” exclaimed Seward. “You advised me to write it.”

“Certainly,” Lincoln had replied, “I advised you to *write* it. But I did not say *send* it. That’s quite a different matter.”

CHAPTER XXXVII

BEHIND THE LINES

THE Battle of Gettysburg ended on July 3, 1863, and within twenty-four hours Grant announced the capture of Vicksburg. This entirely changed the military situation, and from that moment the Confederate armies, though still formidable, were, except on rare occasions, completely on the defensive. In the meantime, however, an even more important event had been transpiring far from the firing line.

The one hope of the Confederacy and the gravest danger to the Union, from the very outset of the war, had been foreign intervention. But all chance of that had disappeared with the issuance of the emancipation proclamation which effected a marked change in the attitude of other nations toward the Union states. Probably they thought, as most Americans did and many still do, that Lincoln had liberated the negroes and that by his edict, as though with a

wave of a wand, slavery in the United States had ceased to exist. Had they understood that it was still in full operation they would have been sorely puzzled. Fortunately, however, they took the will for the deed, and without searching for the higher purpose in Lincoln's mind, or the ways and means of accomplishing it, grasped the fact that the war was being waged to extinguish slavery.

For a time the Emperor Napoleon had continued to encourage the Confederate envoys to hope for his support, and even gone so far as to propose that England and Russia join with France in bringing the war to a close. But when his proposition had been quite promptly and firmly declined, he wisely decided not to interfere. This left Lincoln free to give all his thought to guiding public opinion in the United States as to the continuation of the war in general, and the solution of the slavery problem in particular.

Local approval of the emancipation proclamation had been by no means unanimous. On the contrary, it met with bitter denunciation in many parts of the Union, and small but influen-

tial groups were formed, calling themselves "the unconditional Union men" who, while protesting loyalty to the principle of preserving the Union, desired to disassociate themselves from any effort to continue the war for the purpose of extinguishing slavery. In September, 1863, one of those groups invited the President to attend a mass meeting in Illinois, called for the purpose of enlisting popular support of their views. This provided Lincoln with just the opportunity for which he had been searching to guide public opinion directly in his own state and indirectly throughout the country. Probably he never had any idea of attending the meeting, but in advising its sponsors that pressure of public business forbade his acceptance of their invitation, he took advantage of the occasion to express his views of the situation in no uncertain terms. It was a courteous, patient and tolerant examination of the criticism to which he had been subjected, but so searchingly logical and convincing that it placed his opponents absolutely on the defensive and completely disposed of their contentions. Had any proof been needed of Lincoln's intellectual leadership that letter certainly supplied it.

You are dissatisfied with me about the negro [he wrote]. Quite likely there is a difference of opinion between you and me upon that subject. I certainly wish that all men could be free, while I suppose you do not. Yet I have neither adopted nor proposed any measure which is not consistent even with your view, provided you are for the Union. I suggested compensated emancipation, to which you replied that you wished not to be taxed to buy negroes. But I had not asked you to be taxed to buy negroes, except in such way as to save you from greater taxation to save the Union exclusively by other means.

You dislike the emancipation proclamation and perhaps would have it retracted. You say it is unconstitutional. I think differently. I think the Constitution invests its commander-in-chief with the law of war in time of war. Is there—has there ever been—any question that by the law of war, property, both of enemies and friends, may be taken when needed? . . .

You say you will not fight to free negroes. Some of them seem willing to fight for you; but no matter. Fight you, then, exclusively, to save the Union. I issued the proclamation on purpose to aid you in saving the Union. Whenever you shall have conquered all resistance to the Union, if I shall urge you to continue fighting, it

will be an apt time then for you to declare you will not fight to free negroes. . . .

Lincoln wrote many state papers which rank as literary masterpieces, but for relentless logic he probably never penned anything more characteristic than that informal, calm and judicial communication which practically read a powerful group of malcontents completely out of court. No blast of indignation against narrow-mindedness could possibly have had the same effect. Yet when he wrote it, Lincoln was suffering from the most exasperating forms of criticism which petty meanness and spite can inflict on public men.

Nothing that he said or did escaped ridicule or censure. For instance, at about this time he happened to write a private note to the actor, James H. Hackett, thanking him for the gift of a book and expressing some modest and perfectly legitimate preferences among the passages and works of Shakespeare. The actor indiscreetly published this letter which the newspaper scribblers seized upon to scoff at the President's literary pretensions and jeer at his taste. Of course Lincoln had long been accustomed to per-

sonal abuse and had no time to waste on it. In fact, at that particular moment he was engaged in preparing the Gettysburg address, now enshrined among the classics of English literature. But he wrote Hackett somewhat wearily as follows:

My note to you I certainly did not expect to see in print; yet I have not been much shocked by the newspaper comments upon it. Those comments constitute a fair specimen of what has occurred to me through life. I have endured a great deal of ridicule without much malice; and have received a great deal of kindness not quite free from ridicule. I am used to it.

But his sense of humor never long deserted him, and a few days later he scribbled a note to the Secretary of War, who sometimes rode rough-shod over his recommendations of officers on the ground that the applicants had insufficient military qualifications.

DEAR SIR:

I personally wish Jacob Freese of New Jersey to be appointed colonel for a colored regiment,

and this regardless of whether he can tell the exact shade of Julius Cæsar's hair.

His correspondence with all sorts of people on all sorts of subjects was too voluminous to admit of extended letters. He used scraps of paper, cards, backs of envelopes or anything that came handy, and on them a few words or lines were written, either commuting a court-martial sentence, releasing a prisoner, aiding a widow, granting a request, or otherwise responding to the countless appeals made to him by politicians, friends and utter strangers. Almost all such memoranda were penned in his own handwriting, no copies were made and no record of any kind kept concerning them. Apparently he gave no thought to the possibility that those hasty scribbles might perhaps some day prove embarrassing or be used to catch him in one of the innumerable traps against which busy men, in public and private life to-day, have to take precautions. He distributed them right and left with perfect confidence that they would be used in good faith by those he was trying to befriend.

Nothing that he ever wrote is more characteristic than the few words hurriedly written, but rarely scrawled, on those slips of paper—unguardedly and with no self-consciousness. They mirror the man.

For instance, when the Governor of Ohio appealed to him to save a deserter from being shot, he returned the letter with this endorsement:

The case of Andrews is really a very bad one. Yet before receiving this I had ordered his punishment commuted. . . . Not on any merit of the case, but because I am trying to evade the butchering business lately.

To Stanton he wrote:

A poor widow by the name of Baird has a son in the army that for some offense has been sentenced to serve a long time without pay. . . . I do not like this . . . it falls so very hard upon poor families. . . . At the tearful appeal of the poor mother I made a direction that he be allowed to enlist for a new term. . . . She now comes and says she cannot get it acted upon. Please do it.

As a court of last resort from the War Department's orders, the wearied President had to listen to hundreds and hundreds of such cases involving emotional appeals, harrowing scenes and interminable details. It was an almost unendurable strain, but scarcely a day passed without some such toll on Lincoln's strength, already taxed to the point of exhaustion. Nothing but his sense of humor saved him in the tragic gloom of his surroundings.

" . . . Tell this officer he can return to his post. Supporting Gen. McClellan for the presidency is no violation of army regulations; and as a question of taste, I'm the longest but he's better looking." . . . "These poor fellows have, I think, suffered enough. I turn out the flock." . . . "The Governor has a pretty good case. We don't want him to feel cross and we are in the wrong. Try and fix it with him. . . ."

Every occasion for humor or a light touch he seized upon to relieve him from the strain of thousands of decisions quickly made but costing the patient man who made them far more than those who forced them on him ever dreamed.

CHAPTER XXXVIII

GRANT IN COMMAND

THE capture of Vicksburg had brought an answer to the oft-repeated appeal of the Union, "Abraham Lincoln! Give us a man!" and on July 13, 1863, the President wrote Grant the following characteristic letter regarding his success:

MY DEAR GENERAL:

I do not remember that you and I ever met personally. . . . I never had any faith, except a general hope that you knew better than I, that the Yazoo Pass expedition could succeed—When you got below and took Port Gibson . . . I thought . . . you should join General Banks, and when you turned northward I feared it was a mistake. I now wish to make personal acknowledgment that you were right and I was wrong.

Up to that time more than one leading Union general had attempted to excuse his failures upon the ground that Lincoln had interfered with his

well laid plans and upset the campaigns. To a very large extent such complaints were unjustified, but there was some basis for them, as the President had undoubtedly exercised too much authority from Washington, especially during the early stages of the war. But Grant, who was appointed lieutenant general and placed in supreme command on March 10, 1864, never sought to shift his responsibility. Nor had he any reason for doing so.

"The particulars of your plans I neither know nor seek to know," Lincoln wrote him at the very outset of his duties. "I wish not to obtrude any constraints or restraints on you. . . . If there is anything wanting which is in my power to give, do not fail to let me know it."

With this clear statement of his functions, the President not only relieved Grant's mind from the effect of any stories that might have reached him about governmental interference, but left his own free to attend to the political problems and questions of state that were crowding thick and fast upon him.

The year 1863 had brought one of the greatest disappointments of his life. Congress had failed

to pass the bills which he had recommended and favored for gradual compensated emancipation in such border states as Missouri, Maryland and West Virginia.

From almost the very outset of his career, compensation for the abandonment of slavery had been the basis of his policy. In his opinion it was the only fair and practical means of recognizing the responsibility of the whole country for the existing evil. All his preliminary moves to this end had been successful. He had induced Congress to record itself as favoring compensation to any state either within the Union or out of it that would voluntarily extinguish slavery; had succeeded in the governmental purchase of most of the Delaware bondmen, had obtained legislation prohibiting slavery in the territories and in the District of Columbia—the only slave-owning area over which Congress had jurisdiction to interfere—and had issued the emancipation proclamation which, while it had no immediate result on the war and liberated practically no slaves, had had a moral effect of inestimable value both at home and abroad.

All that was encouraging as far as it went.

Nevertheless, slavery continued wherever it had previously existed, except in the District of Columbia. Nor was this the worst phase of the situation. In the seceded states the slaves were nominally declared free by the emancipation proclamation, but not in the Union slave states. In fact, where part of a seceded state, like Louisiana, was Union-controlled the negroes were technically free in the Confederate portion and actually enslaved in the Union section. The main hope of altering such a state of affairs lay in persuading Congress to promise a definite sum to the Union slave states that would accept the principle of emancipation upon just compensation, and at first it seemed almost certain that the move would succeed. Nevertheless, when the bill for Missouri along those lines had been introduced and passed by the Senate, it failed in the House, and a similar bill for Maryland and West Virginia met practically the same fate. In the face of such opposition it seemed useless to press similar measures for the other states, and the compensation policy thus came to a complete standstill.

Indeed, it is a sorry fact that Congress lost

faith in the President and, to no slight extent, he lost his popularity with the public, at the very moment when by constructive statesmanship of the highest order he was urging measures which, had they been promptly enacted, would have gone far toward solving some of the most difficult problems that were soon to confront the country.

Nevertheless, though disappointed, he did not become discouraged. On the contrary, he promptly began to urge an amendment of the Constitution abolishing slavery. This was the only legal way of extinguishing the evil forever, and although the withdrawal of the Southern states seriously complicated any such effort, Lincoln pressed the matter to a successful issue in the Senate which almost unanimously endorsed his policy. In the House, however, the bill met with defeat. Most of the Congressmen supported it, but enough adverse votes were cast to prevent the two-thirds majority required for its passage.

Had the opening moves of Grant's campaign succeeded it is highly probable that Lincoln would have regained the influence that he for-

merly exerted upon Congress. The new commander, however, not only made no progress, but sustained such enormous losses that even the firmest friend of the President began to feel that the war was a failure. In a series of indecisive engagements Grant lost nearly 55,000 men—a number almost equal to the entire force under Lee—and the only apparent gain was that the Confederate commander had been so hard pressed that he could spare no reënforcements to the army opposing Sherman's steady march toward Atlanta and the sea.

In the meantime Chase, the Secretary of the Treasury, began maneuvering to supersede his chief by obtaining the Republican nomination for the presidency while professing loyalty to the administration. It was a rather petty and altogether disheartening intrigue which, for a time, greatly depressed Lincoln, not because he was bent on securing a renomination, but because he felt himself betrayed in the house of his friends. Horace Greeley openly opposed his candidacy and the editors of several other powerful journals took similar action, while the radical members of

the Republican party bitterly denounced his policies.

All these domestic troubles were complicated by the fact that the French had intrigued to place Maximilian on the throne in Mexico and were supporting him there by an armed force. Probably no such challenge to the Monroe Doctrine would have been attempted had the United States been at peace, and even as it was Lincoln had grave difficulty in persuading Congress to postpone action that might have involved the country in a foreign war. He succeeded, however, in this, and on June 7, 1864, found himself, probably much to his surprise, almost unanimously renominated for the presidency at the Republican National Convention. A few days later Secretary Chase resigned from the Cabinet and toward the end of August General George McClellan was nominated by the Democratic party, while a discontented group of radical Republicans and Abolitionists nominated General Frémont.

Lincoln was naturally encouraged by the endorsement he had received from the Republican party, but not elated. Indeed, he interpreted it

very modestly and shrewdly when a delegation called to congratulate him by stating that the convention had probably decided that it was not wise to swap horses while crossing a stream, even if the horse was so poor that there was not much risk in the venture.

During the campaign which followed he took no active part, even when the most scandalously violent attacks were made against him personally and officially by his opponents, and especially by the Democrats who accused him of almost every disgraceful act that malice could suggest. It was not the libels and slanders, however, that affected the public, but the continued bad news from Grant whose army continued to batter Lee with no apparent result and an almost reckless expenditure of blood. Indeed, "the war is a failure" became the favorite slogan of the opposition and peace at any price was openly advocated by many friends of the Union. Among those who strongly advocated this policy was Horace Greeley who, in July, 1864, translated his words into action by announcing that envoys of the Confederacy were then in Canada and insisting that Lincoln appoint representatives to meet

them for negotiating peace. At this crisis the President made one of the shrewdest moves of his career by appointing Greeley himself to go to Canada and bring to Washington any person duly authorized to negotiate peace on the basis of the restoration of the Union and the abandonment of slavery. Of course there were no such persons to be found and Greeley returned from his mission a sadder but not a much wiser man.

Lincoln would, at that time, have probably been willing to go much further to end the war than he indicated to Greeley, for on August 17, 1864, he drafted a letter to one of his correspondents reading, in part, as follows:

“If Jefferson Davis wishes for himself, or for the benefit of his friends, to know what I would do if he were to offer peace and reunion, saying nothing about slavery, let him try me.”

This letter was never sent but it clearly indicates that Lincoln would not then have insisted on the extinction of slavery as a prerequisite of peace. Nor is this at all surprising. He never believed that slavery should be abolished by force, but by the consent of the whole country, and still hoped it might be.

With the election only about two months away, the general outlook was that he could not be re-elected. From all parts of the country there came discouraging reports that the voters were preparing to support McClellan, and the most experienced politicians among the Republicans were of that opinion. Indeed, some of them did not hesitate to recommend that Lincoln withdraw in favor of some stronger candidate.

There is no reason to believe that he ever considered such a suggestion, but it is absolutely certain that he regarded the outlook as practically hopeless. At critical moments of his career he had acquired the habit of reducing his thoughts to writing, stating the facts exactly as he saw them to clarify his mind, and then recording his conclusions merely as a memorandum for his private guidance in the future. He did this on August 23, 1864, when he had convinced himself that his public life was drawing to a close.

This morning, as for some days past [he wrote], it seems exceedingly probable that this Administration will not be reëlected. Then it will be my duty to so coöperate with the President-elect as to save the Union between the elec-

LINCOLN

tion and the inauguration; as he will have secured his election on such grounds that he cannot possibly save it afterwards.

This was probably written at the darkest moment of the war. But within sixty days the situation completely changed. Sherman entered Atlanta; Farragut won the battle of Mobile Bay; Sheridan controlled the Shenandoah Valley; Frémont withdrew from the presidential contest, and on November 8, 1864, to the astonishment of his friends, to say nothing of the political prophets, Lincoln was elected by an overwhelming vote. McClellan carried only three states and sufficient Republican and Unionist Congressmen secured seats in the House of Representatives to guarantee that slavery would be abolished by an amendment of the Constitution.

CHAPTER XXXIX

THE DAWNING OF PEACE

AS the year 1864 drew to a close the broad strategy of Grant's campaign became apparent and convinced the public that the end of the war was at least in sight.

Until the supreme commander had been found and accorded full authority in the field, there had been very little coöperation between the various Union armies. But when Grant assumed control the situation changed and the widely separated forces, assigned to definite tasks, began to move with a common purpose.

In the World War nearly four years passed before the Allies succeeded in achieving a unified command and it took Lincoln almost as long to find his generalissimo. But the results of co-operation were not so speedily realized.

Grant's plan was extremely simple. Sherman was to sweep through the Southern states. Sheridan was to bar the Shenandoah Valley—the granary of the Confederacy—while Grant

himself held Lee closely engaged near Richmond until all three of them could converge against the Army of Northern Virginia. Lincoln had definitely advised Hooker that Lee's army and not Richmond was his proper objective, and he may have expressed the same view to Grant. But whether he did so or not, the Union commander made that army his main objective from the very start of his operations and never deviated from it for an instant. Had he been a military genius, like his opponent, he would, undoubtedly, have been able to crush Lee single-handed, for he outnumbered him at least two to one and had an enormous advantage in supplies of every sort. But Grant did not claim to be a strategist. He was a dogged, fighting soldier with a modest conception of his own abilities and a very clear realization that his part in the general plan was to hold his opponent in a bull-dog grip. Outgeneraled by Lee at every move, never even once defeating him and frequently suffering appalling losses, he gave his skillful adversary no rest. Foiled in a crash at the center, he flung himself on a flank and, checked there, massed his forces on another part of the line, sometimes hurling

them against solid walls which often staggered but never quite stunned them.

It was not magnificent but it was war. Not the brilliant, chessboard war which his masterful opponent conducted, but a brutal "war of the heavy battalions," where defeats did not count and the cost of lives was measured only by the number of days it shortened the conflict. And it did shorten them, for under his orders General Thomas, who is entitled to rank among the ablest officers that Virginia produced, and was perhaps the most scientific soldier of the Union commanders, almost destroyed the Confederate army under General Hood at Nashville, Tennessee, leaving Sherman free to move northward for his juncture with Grant.

Meanwhile, Lincoln, preparing for the restoration of the Union, was encouraged by the news that Maryland had voluntarily abolished slavery without compensation, and Louisiana, more or less under pressure and with no very convincing vote, took similar action. In neither case were the inhabitants sufficiently represented at the polls to demonstrate that a popular demand existed for the extinction of slavery where it had

previously existed, but it was a first step in the direction in which Lincoln was leading public opinion and which he ardently hoped would influence other slave states.

At about this time Chief Justice Roger Taney of the Supreme Court, whose opinion in the famous Dred Scott case had been a factor in precipitating the war, died and the selection of his successor gave Lincoln an opportunity to demonstrate his extraordinary magnanimity. But when it was rumored that he intended to appoint Chase, the ex-Secretary of the Treasury, a storm of protest immediately broke forth. To the politicians it seemed incredible that Lincoln should even consider for the greatest office within his gift the man who had not only attempted to discredit his administration, but had schemed to supplant him as President. "If Chase covets this office," they advised, "now is the opportunity to crush him." But Lincoln would not listen to them.

"I'm not in favor of crushing anybody," he responded. The only thought in his mind was to find the right man for the post and believing, as he expressed it, that Chase "was equal to about

one and a half of the best men he knew of," he appointed him to the chief justiceship. Perhaps he had already written the words "with malice toward none; with charity for all," but he certainly practiced that principle before he preached it.

Within a month came the first real overture for peace. Mr. Francis Blair, Sr., a close personal friend of Jefferson Davis, the President of the Confederacy, applied to Lincoln for a pass to enable him to visit Davis and recommend a peace conference. If any one could successfully approach Davis with such a suggestion, Blair was certainly the one to do it, for the Confederate leader had been under deep personal obligations to Blair's family. But although Lincoln facilitated his mission, he did not authorize him to make any official representation whatsoever, nor would he listen to the plan which Blair had in mind for enlisting Davis's interest. Had he done so, he would undoubtedly have discountenanced the whole business, for the volunteer emissary intended to and did present to Davis a scheme whereby the Confederate army, under cover of a secret armistice, was to make common cause with

the Mexicans in expelling the Emperor Maximilian whose throne was supported by the French. In this expedition (for vindicating the Monroe Doctrine!) Union troops were to co-operate, with the result that Mexico would soon oust the invaders and might apply for admission to the reunited Union. It is not certain just what effect this fantastic proposal had on Davis's mind. But he finally submitted a written memorandum informing Lincoln that if he would appoint an official representative, a Confederate envoy would be authorized to confer with him "with a view to secure peace to the two countries."

When Lincoln read this note he immediately empowered Blair to reply that any agent Davis cared to send would be informally received with a view to "securing peace to the people of our one common country."

The significant wording of this response clarified the situation. It plainly indicated that Lincoln never had considered, and would not consider, the confederated states as out of the Union and that no negotiations were practical which did not, at least tacitly, concede that they would

be conducted between fellow countrymen. For a time it looked as though this condition would prevent any conference, but after somewhat lengthy correspondence, Davis appointed Judge Campbell his Assistant Secretary of War, Senator Hunter and Alexander Stephens, the Vice-President of the Confederacy, as Peace Commissioners, and on February 3, 1865, three days after the constitutional amendment abolishing slavery passed both Houses of Congress, they met Lincoln and Seward on a United States steamer anchored in Hampton Roads.

Alexander Stephens was far the ablest of the Confederate envoys and had originally been strongly opposed to secession. But in course of time he had reached the conclusion that the restoration of the Union was impossible and attended the Conference with his mind firmly made up on that issue. Nevertheless, Lincoln and he were personally acquainted, liked each other and had carried on a friendly correspondence before the outbreak of war. The chances of an amicable discussion of the whole situation were therefore promising. But Stephens began by assuming that Lincoln was not only aware, but had ap-

proved of Blair's plan for ending the war. The President at once declared that he did not know it and had refused to hear what it was. "The restoration of the Union is a *sine qua non* with me," he announced, adding that the extinction of slavery was also a prerequisite of peace.

With the atmosphere thus cleared, Stephens inquired whether the Confederate states would be assured of representation in Congress on the cessation of hostilities. Lincoln replied that they certainly "ought to be, but he could not enter into any stipulation on the subject" while the war continued. This response seemed to surprise Senator Hunter who reminded the President there was a precedent for such action, as Charles I had promised the Parliamentary party full representation while civil war was still progressing. To which Lincoln smilingly responded that he did not profess to be posted on history, but was strongly under the impression that Charles I had lost his head.

Then he impulsively turned to the Confederate Vice-President.

"Stephens," he began, "if I resided in Georgia with my present sentiments, I'll tell you what I

THE DAWNING OF PEACE

Executive Mansion

Washington, Feb 10. 1865

Hon. A. H. Stephens.

According to our agreement, your nephew, Lieut. Stephens, goes to you, bearing this note. Please, in return, to select and send to me, that officer of the same rank, imprisoned at Richmond, whose physical condition now urgently requires his release.

*Respectfully
A. Lincoln*

LETTER FROM ABRAHAM LINCOLN TO A. H. STEPHENS.

From the original in the Pierpont Morgan Library

would do if I were in your place: I would go home and get the Governor of the state to call the legislature together, and get them to recall all the state troops from the war; elect senators and members of Congress and ratify this constitutional amendment [the 13th] prospectively, so as to take effect—say in five years. . . . I have looked into the subject and think such a prospective ratification would be valid. Whatever may have been the views of your people before the war, they must be convinced now that slavery is doomed. It cannot last long in any event, and the best course, it seems to me, for your public

men to pursue, would be to adopt such a policy as will avoid, as far as possible, the evils of immediate emancipation. 'This would be my course, if I were in your place.'

He then went on to inform the Commissioners that as far as any confiscation acts and other penal acts were concerned their enforcement was left entirely with him, and on his assurance perfect reliance might be placed. He would exercise the power of the Executive with the utmost liberality; he would be willing to be taxed to remunerate the Southern people for their slaves; he believed the people of the North were as responsible for slavery as the people of the South and if the war should cease with the voluntary abolition of slavery by the states he would be in favor, individually, of the government paying a fair indemnity for the loss to the slave-owners; he believed this feeling had extensive existence in the North; he knew some who were in favor of an appropriation as high as four hundred millions of dollars for this purpose. These views, he added, expressed his own feelings and what he believed to be the sentiments of others.

The conference ended without reaching any

conclusion, and on receiving the report of his representatives Davis flatly rejected peace on any such basis with the approval of his closest advisers and, as far as it could be ascertained, the general support of public opinion in the seceded states. Later on some of the Commissioners and other leaders of the Confederacy changed their minds sufficiently to request Davis to resume negotiations, but he definitely refused to consider such action. Nevertheless, Grant and Lee got into communication with each other, probably with the hope that they could bring the war to a close, but when the Union commander received instructions that any such conference must be strictly confined to military matters, he informed Lee of the situation and abandoned the proposed meeting.

Lee was far too good a soldier to leave Davis in any doubt as to the military outlook. Without admitting that it had become absolutely hopeless he calmly and accurately presented the facts, placing himself absolutely at the disposition of the civil authorities, but holding out no promise that he could long maintain his army in the field. But Davis, although an exceedingly able and sin-

cere man, had become a fanatic on the subject of the dissolution of the Union. He therefore discouraged further negotiations and roused the Confederate Congress to such a pitch that it issued an inflammatory appeal to the South, announcing that the United States would confiscate the property of Southern landowners and distribute it among the slaves. On what it based that fantastic notion it is impossible to state, but nothing, of course, was further from Lincoln's mind. On the contrary, within a few days of the Conference at Hampton Roads he drafted and submitted to the Cabinet a proposed message to Congress recommending that four hundred million dollars in Government six per cent bonds be paid to the Confederate states and five other slave-holding states as compensation for their slaves to be distributed among them according to their slave populations of 1860, provided the war ceased by April 1, 1865—a period of less than sixty days. One-half of this enormous sum was to be paid on the declaration of peace and the balance on the adoption of the constitutional amendment abolishing slavery.

This proposal was not approved by the Cabinet

THE DAWNING OF PEACE

but it demonstrates Lincoln's attitude toward what he regarded as the national responsibility and gives force to the immortal words he uttered during his second inaugural address of March 4, 1865.

Fondly do we hope—fervently do we pray—that this mighty scourge of war may speedily pass away. Yet if God wills that it continue until all the wealth piled by the bondman's 250 years of unrequited toil shall be sunk and until every drop of blood drawn by the lash shall be paid with another drawn by the sword, as was said three thousand years ago, so still it must be said, "The judgments of the Lord are true and righteous altogether."

With malice toward none; with charity toward all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds . . . and to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations.

CHAPTER XL

THE CLOSE OF HOSTILITIES

WHILE Lincoln was vainly striving to end the war without further bloodshed, Sherman left Atlanta and moved northward to join forces with Grant. Up to this time the inhabitants of the cotton states had, for the most part, been free from direct contact with the war. Sherman's almost unopposed northern march, however, brought it home to them in, perhaps, its ugliest form, for public property was destroyed, private homes invaded and the civilian population subjected to many of the hardships involved in the passage of troops. On the whole, Sherman's forces were well disciplined and under control. But it was impossible to prevent individual outrages. Foraging and straggling lent themselves to all sorts of lamentable abuses, leaving such bitter memories that nearly half a century passed before they were wiped out.

Sherman was by no means a ruthless man, nor

was he vindictive toward the people of the Confederacy. On the contrary, he sympathized with them to such an extent that he almost ruined his military career at the close of the war by according far more liberal terms to his opponents than were authorized by the Johnston administration and suffered personal and professional indignities for his over-generosity. Possibly he might, with more rigorous discipline, have prevented some of the offenses which his soldiers committed against innocent civilians. But he had to depend on subordinates, many of whom were inexperienced, to supervise the execution of his orders, and compared with the brutalities inflicted on the Belgians by the invading Germans in 1914, the most lawless acts of his troops were insignificant trifles. No commander can fairly be held responsible for failing to repress every exhibition of wanton cruelty and injustice by irresponsible members of his command. Crimes were undoubtedly committed along Sherman's line of march and unnecessary hardships endured, but they were incidental to war which he rightly described as "hell," and were neither incited, nor condoned. Pennsylvania experienced, in a minor form, somewhat

similar outrages during Lee's brief invasion in spite of all he could do to prevent them.

By March 27, 1865, Sherman was in touch with Grant, and Lincoln hurried down from Washington to meet them, in the hope that they could suggest some plan by which further fighting could be avoided. Lee's army was then almost surrounded and practically starving, but its gallant survivors were not ready to surrender. If they could succeed in slipping through the encircling troops there was always a chance that they would take refuge in the mountains and continue some sort of hostilities indefinitely. It was, therefore, Grant's and Sherman's opinion that the campaign must be carried out as planned.

But the end came sooner than any one expected, for within a week Richmond was taken and a few days later Lee surrendered the remnant of the well-nigh invincible Army of Northern Virginia.

The meeting between the two commanders honored both of them. Indeed, it subsequently proved a potent factor in reconciling the divided country. Grant was simple, unaffected, courteous and considerate, and Lee dignified, frank

and appreciative of the generous response made to every suggestion he advanced.

When the news of Lee's surrender reached the Union army it was greeted with a glad booming of guns. But Grant instantly stopped this, issuing strict orders that the troops be held closely within their own lines and that no one except officers specially assigned to assist the Confederates in mustering out their men should witness their dispersal.

Meanwhile, Lincoln had visited Richmond, walking, unattended, through its streets without incident of any kind, save the friendly greetings of the colored people who flocked about him, some of them apparently regarding him as their new "Massa," and others merely lured by curious interest in his extraordinary height.

He returned to Washington by steamer accompanied by a small group of friends, among whom was Senator Sumner, whose views on the reconstruction of the seceded states and on the enfranchisement of the negroes did not at all coincide with the President's. But Lincoln was in no mood to discuss controversial questions, and, probably to avoid them, produced a copy of

Shakespeare from which he read aloud to the little company certain passages from Macbeth. Among them were these lines:

*Duncan is in his grave;
After life's fitful fever he sleeps well;
Treason has done his worst; nor steel, nor poison,
Malice domestic, foreign levy,—nothing
Can touch him further.*

Probably it was merely by chance that he read those words so prophetic of his rapidly approaching end. But that is not the only strange coincidence associated with the closing week of his life. Some few days later he spoke to the members of the Cabinet at a meeting which Grant attended of a dream he had had during the previous night. In this dream, Lincoln asserted, he saw himself sailing on a strange craft headed straight for an unrecognizable shore. He had, he declared, repeatedly gone through the same experience, usually just before a victory such as Antietam, Gettysburg or Murfreesboro, and had come to regard it as a happy omen. No one seemed to be much impressed by the story, and

THE CLOSE OF HOSTILITIES

least of all Grant whose literal mind would not permit him to accept the President's interpretation of the dream. Murfreesboro, he remarked, was not much of a battle and certainly no victory. With that the meeting passed to official business.

If the memory of those who recalled this incident is accurate, it would almost seem as though Lincoln had a premonition that his work had finished.

CHAPTER XLI

LINCOLN'S LAST DAY

ON the evening of April 11, 1865, a considerable company gathered at the White House to congratulate the President on the favorable prospect for terminating the war without further hostilities. The occasion was quite informal, but Lincoln made a short address to his visitors. It was not a prepared speech and had no literary value, but it proved to be, perhaps, the most important utterance of his public career, for it outlined his views on reconstruction. He began by defending his support of the recently established government in Louisiana, despite the fact that it had been formed by a very small minority of the voters.

As to sustaining it [he announced], my promise is out. But as bad promises are better broken than kept, I shall treat this as a bad promise and break it whenever I shall be convinced that keeping it is adverse to the public interest. . . . I have been shown a letter on this

subject . . . in which the writer expresses regret that my mind has not seemed to be definitely fixed on the question whether the seceded states, so-called, are in the Union or out of it. . . .

If Lincoln's audience supposed that they were about to hear a legal argument on this technical point they were not familiar with his career on the Illinois circuit. Lawyers are generally supposed to delight in legal quibbles, but Lincoln had always despised them, and he disposed of this one with the same directness and common sense that had always characterized his search, as a lawyer and as a statesman, for the real and not the technical point at issue.

That question [he declared] is bad as the basis of controversy and good for nothing at all—a merely pernicious abstraction. We all agree that the seceded states, so-called, are out of their proper practical relation to the Union and that the sole object of the Government, civil and military . . . is to again get them into that proper practical relation. I believe that it is not only possible, but in fact easier to do this without deciding or even considering whether these states have ever been out of the Union, than with it.

Finding themselves safely at home, it would be utterly immaterial whether they had ever been abroad. Let us all join in doing the acts necessary to restoring the proper practical relations between these states and the Union, and each forever after innocently indulge his own opinion whether in doing the acts he brought the states from without into the Union, or only gave them proper assistance, they never having been out of it. . . . It is unsatisfactory to some that the elective franchise is not given to the colored man. I would prefer that it were now conferred on the very intelligent. . . . No exclusive and inflexible plan can safely be prescribed as to details. . . . Such exclusive and inflexible plan would surely become a new entanglement. Important principles may and must be inflexible. In the present situation it may be my duty to make some new announcement to the people of the South. I am considering and shall not fail to act when satisfied that action will be proper.

Fate was even then preparing to prevent that new announcement. But there is no doubt what it would have been.

Three days later Lincoln met the members of his Cabinet and talked to them informally of his plans. He regarded it as providential that Con-

gress had just adjourned and that there would be nothing to hinder or embarrass the administration. He would, he declared, tolerate no persecutions. As to the irreconcilables, his idea was to "open the gates, let down the bars," and "shoo" them out.

Enough lives have been sacrificed [he asserted]. We must extinguish our resentments if we expect harmony and union. There is too much of a desire on the part of some of our very good friends to be masters, to interfere with and dictate to those states, to treat the people, not as fellow citizens; there is too little respect for their rights. I do not sympathize with these feelings. . . . We must now begin to act in the interest of peace.

He then proceeded to speak very kindly of Lee and others of the Confederacy, and almost as he adjourned the meeting, Major Robert Anderson was raising the national flag at Fort Sumter, lowered by him exactly four years previously.

Within a few hours Wilkes Booth, a fanatical actor of doubtful sanity, crept into the presidential box at Ford's Theater and with a murderous shot deprived the South of its best friend.

CHAPTER XLII

A NATIONAL HERITAGE

FOR fully a year prior to his death Lincoln had been maturing his policy for the reconstruction of the Union on the cessation of hostilities. He had offered a broad amnesty to those who were resisting the national authority and indicated, by words and actions, his intention to exclude no one from its terms; had firmly announced that the restoration of the Union and the abandonment of slavery would be the only indispensable peace conditions; had placed himself on record as favoring the immediate admission to the National Legislature of senators and Congressmen from the seceded states; had determined that no persecutions or reprisals should be countenanced; had advocated that negro suffrage be restricted to those who, by intelligence or service, deserved the privilege; had recommended the allotment of four hundred million dollars among the seceded states as compensation for the emancipation of slaves; had secured from

Congress a proposed amendment to the Constitution legally abolishing slavery and had urged its prompt ratification by the states; had condemned interference with the South or disregard of its rights and otherwise clearly dedicated himself to all that would contribute "to bind up the nation's wounds."

The authority to execute this policy did not, of course, rest entirely with Lincoln. But in no small measure it did, and where the Legislature had exclusive jurisdiction there was every reason to believe it would be guided by the recognized leader of the dominant party whose administration had just received an overwhelming vote of popular confidence. Rabid and vindictive as many of its radicals were, the people of the North were in no mood to follow them. On the contrary, they were generally disposed to adjust their differences with the seceded states considerately and fairly.

But the assassination of the President changed the whole situation. The wave of indignation, sorrow, and suspicion which swept over the country carried the most intolerant politicians into

power and, in their hands, Lincoln's beneficent policies were twisted out of shape.

Yet in one respect they were fully realized. There were no persecutions or reprisals. That never-to-be-forgotten fact—unparalleled in the history of any other civil war—is a potent offset to the sins of omission and commission which disfigured the reconstruction period, with its orgy of misgovernment, injustice and ill-considered legislation for which the whole nation was, in the end, bound to pay, has paid, and, to some extent, is still paying.

Such are the established facts.

But the fame of many notable men has been diminished by exaggerations intended to exalt them, and under the accumulation of myths regarding Lincoln, his legacy to the nation bids fair to lie entombed.

Of his personality something remains. Yet it, too, has suffered at the hands of his idolaters. More than forty years have passed since Robert Ingersoll first noted this tendency and sounded a warning in his master-tribute to "the first American."

Almost all the great characters of history [he wrote] are impossible monsters, disproportioned by flattery or by calumny deformed. We see nothing of their peculiarities or nothing but their peculiarities. About the roots of these oaks there clings none of the earth of mortality.

Washington is now only a steel engraving. Of the real man who lived, and loved, and hated, and schemed, we know but little. The glass through which we look at him is of such high magnifying power that the features are exceedingly indistinct.

Hundreds of people are now engaged in trying to smooth out the lines on Lincoln's face—to force all his features to the common mold, so that he may appear, not as he really was, but, according to their poor opinion, as he should have been.

It would indeed be a loss to posterity if Lincoln's rugged features should be warped "to the common mold." But it would be far better that his personality should disappear than that the true character of his services to his country should be misunderstood or misinterpreted.

He was no partisan, sectional leader of a minority group whose dictates he blindly exe-

cuted with fanatical zeal. He embodied the national conscience, formulated, in words, its conclusion that the nation could not exist half slave and half free, regarded himself as the servant of its people, anticipated their will that the nation should not perish from the earth, and so guided them and governed himself that, from the outcome of the disrupting civil conflict, there should emerge neither conquerors nor conquered, but reunited Americans.

The crowning of Lincoln's life work was postponed by his assassination but, despite the follies and injustices of the reconstruction era, it was not frustrated. The country has long since been reunited, but it is not yet a unit in recognizing him as the rebuilder of the nation in whom all its parts can take a common pride.

It is difficult to understand why Maine, New Hampshire, Vermont, Rhode Island, Wisconsin, Oklahoma, Idaho, New Mexico, Arizona and Oregon do not yet officially celebrate his birthday. But it is quite possible that his attitude toward the nation in general, and slavery in particular, is still misunderstood in those and other states which do not thus honor his memory.



ABRAHAM LINCOLN

Brady photograph, 1864. From the original glass negative in the collection of Frederick Hill Meserve.

A NATIONAL HERITAGE

In this the tradition—for it has become such—regarding the emancipation proclamation, is probably a factor. If he had, by a dictatorial edict, ended slavery regardless of the rights of the slave-holding states for his own gratification or that of a partisan group, he would certainly have disqualified himself for the nation-wide recognition accorded to Washington whose work he preserved.

It is difficult to dispose of any legend, even when its falsity can be demonstrated with mathematical precision, and there is a strong appeal to the imagination in picturing Lincoln as the Emancipator dramatically liberating the negro race with a Jovelike bolt.

But perhaps, some day, facts rather than fiction will prevail. Then it will be realized that Lincoln's dominating thought from first to last was the integrity of the nation with, if not without, slavery; that his emancipation proclamation was a war measure which practically emancipated no slave and certainly did not end and was not intended to extinguish slavery which continued in full force until almost the close of the war; that he unwaveringly insisted that it must

LINCOLN

be eliminated solely by the will of the American people whose power and privilege no man had the right to usurp; that he opposed the enfranchisement of the negroes, except upon the basis of education and services; that he labored unceasingly for just compensation to all those to whom emancipation would cause loss and that he strove earnestly, up to the very moment of his death, to protect the seceded states from all the aftermath of war.

Lincoln provided a heritage for the whole nation. It should not be lost for lack of understanding.

APPENDIX I

FINAL EMANCIPATION PROCLAMATION, JANUARY 1, 1863

Whereas, on the twenty-second day of September, in the year of our Lord one thousand eight hundred and sixty-two, a proclamation was issued by the President of the United States, containing, among other things, the following, to wit:

That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State, or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

That the Executive will, on the first day of January aforesaid, by proclamation, designate the States and parts of States, if any, in which the people thereof respectively shall then be in rebellion against the United States; and the fact that any State, or the people thereof, shall on that day be in good faith represented

APPENDIX I

in the Congress of the United States by members chosen thereto at elections wherein a majority of the qualified voters of such State shall have participated, shall in the absence of strong countervailing testimony be deemed conclusive evidence that such State and the people thereof are not then in rebellion against the United States.

Now, therefore, I, Abraham Lincoln, President of the United States, by virtue of the power in me vested as commander-in-chief of the army and navy of the United States, in time of actual armed rebellion against the authority and government of the United States, and as a fit and necessary war measure for suppressing said rebellion, do, on this first day of January, in the year of our Lord one thousand eight hundred and sixty-three, and in accordance with my purpose so to do, publicly proclaimed for the full period of 100 days from the day first above mentioned, order and designate as the States and parts of States wherein the people thereof, respectively, are this day in rebellion against the United States, the following, to wit:

Arkansas, Texas, Louisiana (except the parishes of St. Bernard, Plaquemines, Jefferson, St. John, St. Charles, St. James, Ascension, Assumption, Terre Bonne, Lafourche, St. Mary, St. Martin, and Orleans, including the city of New Orleans), Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, and Virginia (except the forty-eight counties

designated as West Virginia, and also the counties of Berkeley, Accomac, Northampton, Elizabeth City, York, Princess Ann, and Norfolk, including the cities of Norfolk and Portsmouth), and which excepted parts are for the present left precisely as if this proclamation were not issued.

And by virtue of the power and for the purpose aforesaid, I do order and declare that all persons held as slaves within said designated States and parts of States are, and henceforward shall be, free; and that the Executive Government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons.

And I hereby enjoin upon the people so declared to be free to abstain from all violence, unless in necessary self-defense; and I recommend to them that, in all cases when allowed, they labor faithfully for reasonable wages.

And I further declare and make known that such persons of suitable condition will be received into the armed service of the United States to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service.

And upon this act, sincerely believed to be an act of justice, warranted by the Constitution upon military necessity, I invoke the considerate judgment of mankind and the gracious favor of Almighty God.

APPENDIX II

TRANSCRIPT OF DOCUMENTARY ILLUSTRATIONS WITH NOTES ON SAME

LETTER FROM ABRAHAM LINCOLN TO
HORACE GREELEY

Private

[PAGE 75]

EXECUTIVE MANSION,

Washington, March 24, 1862.

HON HORACE GREELEY.

My dear Sir:

Your very kind letter of the 16th to Mr. Colfax, has been shown me by him. I am grateful for the generous sentiments and purposes expressed towards the administration. Of course I am anxious to see the policy proposed in the late special message go forward, but you have advocated it from the first, so that I need to say little to you on the subject. If I were to suggest anything it would be that as the North are already for the measure, we should urge it *persuasively* and not *menacingly*, upon the South. I am a little uneasy about the abolishment of slavery in the District, not but I would be glad to see it abolished but as to the time and manner of doing it. If some one or more of the border-states would move fast, I should greatly prefer it; but if this can not be in a reasonable time, I would

APPENDIX II

like the bill to have the three main features—gradual—compensation—and vote of the people—I do not talk to members of Congress on the subject, except when they ask me—I am not prepared to make any suggestions about confiscation— I may drop you a line hereafter.

Yours truly,

A. LINCOLN.

NOTE

This private letter to Greeley, written about six months before the final emancipation proclamation was issued, demonstrates that the cardinal points in Lincoln's slavery policy were that emancipation should be gradual, compensated, and voluntarily effected by vote of the people.

To enable the border states to adopt this policy and thus set an example for other slave-holding states, he was willing to sidetrack the bill for emancipating the slaves in the District of Columbia—a measure which he had favored for over twenty-five years.

FIRST DRAFT, IN LINCOLN'S HANDWRITING, OF A
BILL FOR COMPENSATED EMANCIPATION OF
SLAVES IN DELAWARE

[PAGE 199]

Be it enacted by the State of Delaware, that on condition the United States of America will, at the present session of Congress, engage by law to pay, and thereafter faithfully pay to the said State of Delaware,

APPENDIX II

in the six per cent bonds of said United States, the sum of seven hundred and nineteen thousand and two hundred dollars, in five equal annual instalments, there shall be neither slavery nor involuntary servitude, at any time after the first day of January in the year of our Lord one thousand, eight hundred and sixty-seven, within the said State of Delaware, except in the punishment of crime, whereof the party shall have been duly convicted: *Provided*, that said State shall, in good faith prevent, so far as possible, the carrying of any person out of said State, into involuntary servitude, beyond the limits of said State, at any time after the passage of this act; and shall also provide for one-fifth of the adult slaves becoming free at the middle of the year one thousand eight hundred and sixty-two; one-fourth of the remainder of said adults, at the middle of the year one thousand eight hundred and sixty-three; one-third of the remainder of said adults at the middle of the year one thousand eight hundred and sixty-four; one-half the remainder of said adults at the middle of the year one thousand eight hundred and sixty-five; and the entire remainder of adults, together with all minors, at the beginning of the year one thousand eight hundred and sixty-seven, as hereinbefore indicated. And provided also that said State may make provision of apprenticeship not to extend beyond the age of twenty-one years, for males, nor eighteen for females, for all minors whose mothers were not free, at the respective births of such minors—

APPENDIX II

NOTE

This Bill and a second draft of the same were prepared by Lincoln in November, 1861—about eight months after he became President. His thought was that if some such measure for gradual emancipation with full compensation from the United States government to the slave-owners should be adopted by the people of Delaware—the most northerly of the slave states and the smallest in slave population—it would encourage other slave states to enact similar laws. The Bill, however, met with such opposition in Delaware that it was not actually introduced in the state legislature. Delaware never ratified the Thirteenth Amendment and although many of its slaves were purchased and privately emancipated, slavery continued in the state until the Amendment of the Constitution became effective by ratification of two-thirds of the states in December, 1865—about seven months after Lincoln's death.

This manuscript is, perhaps, the most valuable existing Lincolniana document.

LETTER FROM ABRAHAM LINCOLN TO

A. H. STEPHENS

[PAGE 237]

EXECUTIVE MANSION,

Washington, Feb. 10, 1865.

HON. A. H. STEPHENS.

According to our agreement, your nephew, Lieut.

APPENDIX II

Stephens, goes to you, bearing this note— Please, in return, to select and send to me, the officer of the same rank, imprisoned at Richmond, whose physical condition most urgently requires his release.

Respectfully,

A. LINCOLN.

NOTE

The above letter has an interesting history. It was written by Lincoln a few days after the conference at Hampton Roads, and shows that during the conference Alexander Stephens had privately requested Lincoln to release his nephew, Lieutenant Stephens, then held as a prisoner of war in one of the Union prison camps. Lincoln evidently promised to do this for his old friend on condition that some Union officer of the same rank, in poor health, should be exchanged for the Confederate Lieutenant. That the Vice President of the Confederacy, while on an official mission, had sought a personal favor from Lincoln might have subjected him to serious criticism, and Lincoln probably wished no publicity to be given to the fact that he had either requested or received it. The matter was, therefore, handled very informally. Lincoln quietly released young Stephens, giving him a personal note to his uncle reminding him of their understanding. In view of the somewhat delicate situation Lincoln, contrary to his usual practice, kept a copy of this note which passed

APPENDIX II

into the possession of his son, Robert Lincoln, who, a few years before his death, presented it to The Pierpont Morgan library with a letter explaining its origin.

APPENDIX III

SECESSION DATES

1. South Carolina, December 20, 1860 *
2. Mississippi, January 9, 1861 *
3. Florida, January 10, 1861 *
4. Alabama, January 11, 1861 *
5. Georgia, January 19, 1861 *
6. Louisiana, January 26, 1861 *
7. Texas, February 1, 1861 *
8. Virginia, April 17, 1861
9. Arkansas, May 6, 1861
10. North Carolina, May 20, 1861
11. Tennessee, June 8, 1861

* Before Lincoln became President.

SLAVERY ABOLISHED BY STATE LAW

1. In District of Columbia, April 16, 1862
2. In Louisiana, April, 1864
3. In Maryland, October, 1864
4. In Missouri, January, 1865
5. In Mississippi, August, 1865
6. In Alabama, August, 1865
7. In South Carolina, September, 1865
8. In North Carolina, October, 1865

APPENDIX III

9. In Georgia, November, 1865
10. In Florida, December, 1865
11. In Texas, February, 1870.

December 18, 1865, the Thirteenth Constitutional Amendment abolishing slavery became law by ratification of thirty-three states out of the thirty-six states of the Union, including Virginia, Tennessee, Arkansas, Louisiana, South Carolina, North Carolina, Alabama, and Georgia. Kentucky, Delaware and Texas never ratified it—Mississippi only conditionally.

APPENDIX IV

LINCOLN'S SLAVERY POLICY

MAIN EVENTS ASSOCIATED WITH ITS ORIGIN, GROWTH AND FORMATION

PAGES

NOTE.—Born and lived for seven years in Kentucky, a slave state. At about eighteen visited New Orleans and witnessed slavery in active operation. Revisited New Orleans when about twenty-two years old; stayed there several weeks with full opportunity to observe slave market and auctions . . . 5, 20, 21, 22

1837

March 3.—With one other member of Illinois Legislature signed protest against Resolution condemning abolition societies, declaring slavery protected in the states by the Constitution and upholding it in the District of Columbia

The protest read, in part: "the undersigned believe that slavery is founded on injustice and bad policy, but abolition doctrines tend rather to increase than abate its evils; that Congress has no power to interfere . . . with slavery in the . . . states

APPENDIX IV

PAGES

. . . but has power to abolish it in the District of Columbia. . . .” 50, 51

1847

October 17.—Lost case for Matson—a slave-owner—by admitting, in open court, that if the client brought slaves from Kentucky to Illinois as laborers on his farm they were free 120, 121

1848

Introduced bill in House of Representatives to abolish slavery in the District of Columbia 74, 76

1848-54

Practiced law on Eighth Judicial Circuit, Illinois, during which period he became one of the leaders of the bar, a specialist in jury cases and a notable speaker 78-102

1854

May 30.—Bill introduced by Douglas, repealing the Missouri Compromise, became a law . . 103-108

June.—Lincoln announced for first time his conclusion that the nation could not endure “half slave and half free” 107

October.—Began answering Douglas’ defense of the Repeal. Reëntered politics, becoming

272

APPENDIX IV

PAGES

member of Illinois Legislature and candidate
for Senatorial nomination 110-114

1856

May 29.—Made chief address at first Convention
of Republican party in Illinois 115

December 18.—Dred Scott decision announced in
United States Supreme Court 117-119

1857

June 26.—Began answering Douglas' defense of
Dred Scott decision 120-124

1858

June 16.—Nominated for Illinois Senatorship
against Douglas. Made his famous "house
divided against itself" speech 125

August 21 to November.—Douglas-Lincoln de-
bates and Senatorial campaign, during
which Lincoln announced his conclusion that
both the North and the South were equally
responsible for slavery; that the question was
a national one to be settled by amending the
Constitution, which could be done only by
the people, neither Congress nor the Presi-
dent having the power to make any change
in it 127-133

1861

March.—Declared in Inaugural Address that he had “no purpose direct or indirect to interfere with the institution of slavery where it exists”; that he had “no right under the Constitution to do so, and that he had “no inclination to do so” 177

September 11.—Set aside General Frémont’s order freeing Missouri slaves 179

November.—Drafted bill introduced in the Delaware Legislature for gradual emancipation of slaves by compensation to the state by the nation. . . 199, 202. (*See also* Appendix II, 263.)

1862

March.—Recommended Congress to pass (and it did pass) Resolution offering just compensation to any state which adopted gradual abolishment of slavery 179

March 9.—Prepared and circulated tables showing that all Delaware slaves could be purchased at one-half a day’s cost of war and all slaves in Delaware, Maryland, District of Columbia, Kentucky and Missouri for eighty-seven days’ cost of war 193, 201, 202

April 16.—Procured legislation abolishing slavery in District of Columbia with compensation to

APPENDIX IV

	PAGES
slave-owners on general lines of his bill introduced as Congressman in 1848	220
<i>April.</i> —Negotiated treaty with Great Britain for suppressing slave trade	179
<i>May 19.</i> —Set aside order of General Hunter freeing slaves in Georgia, Florida and South Carolina	180
Appealed to border states to adopt gradual emancipation with compensation for loss	181
<i>July.</i> —Prepared veto of Confiscation Bill attempting to free slaves by Act of Congress. Bill amended to avoid veto	180
<i>July 17.</i> —Prepared first draft of emancipation proclamation. Read same to Cabinet and then withdrew it from further consideration	181-182
<i>August 22.</i> —Answered open letter of Horace Greeley, complaining of his policy, by advising him that his "paramount object" was "to save the Union and not either to save or destroy slavery"	182-185
<i>September 23.</i> —Issued preliminary emancipation proclamation. This was virtually a warning to the seceded states that if they did not re-enter the Union by January 1, 1863, all slaves within certain territory would, as a war measure, be declared legally emancipated .	187-195

1863

January 1.—Final emancipation proclamation issued. As a war measure it declared emancipated all slaves in seceded states, except Tennessee and certain parts of Louisiana and Virginia, as to which excepted parts slavery was to be left “precisely as if the proclamation were not issued.” It had likewise no effect in Missouri, Kentucky, Delaware, Maryland and West Virginia. Therefore slavery continued legal in almost half of all the slave states and prevailed in all the others, despite the proclamation . . . 189-191

February.—Bill recommended by Lincoln to provide ten million dollars to compensate Missouri for slaves if it abolished slavery, defeated in Congress . . . 219, 220
 Similar measures for Maryland and West Virginia blocked in Congress . . . 224

December 14.—Bill supported by Lincoln proposing amendment of Constitution abolishing slavery to be submitted to people introduced in House and Senate . . . 222

1864

March 28.—Senator Lyman Trumbull, a leader in the Senate, declared during the debate on the Thirteenth Amendment that the emancipation proclamation had not and could not destroy slavery. It had, he pointed out, no

APPENDIX IV

PAGES

application to substantially half of the slave states, and, in the opinion of some authorities, had not emancipated a single slave. Moreover, he insisted, any state that voluntarily abolished slavery could reestablish it 222

April 5.—Senator Reverdy Johnston (noted jurist) declared in Senate during the debate that when the war ended no slave would be free by virtue of the proclamation, except those under control of the military power . . . 222

April 8.—Proposed amendment passed in Senate 222

April.—Louisiana abolished slavery without compensation. (Reconstruction Government.) 231

June 15.—Proposed constitutional amendment defeated in House of Representatives . . 222

October.—Maryland abolished slavery without compensation 231

November.—Lincoln reëlected President with favorable supporting majority in Congress 228

1865

January 11.—Missouri abolished slavery without compensation

January 31.—Bill submitting Constitutional Amendment abolishing slavery to the people, passed by House and Senate 237, 253

277

APPENDIX IV

PAGES

<i>February 3.</i> —Lincoln recommended Alexander Stephens to advise Georgia to ratify Amendment to take effect in five years	237
<i>February 5.</i> —Lincoln drafted message to Congress, recommending appropriation of \$400,000,000 to compensate slave-owners in all seceded states and in Delaware, Maryland, Missouri, West Virginia and Kentucky . .	240, 252
<i>April 11.</i> —Opposed general enfranchisement of negroes	250, 252
<i>April 14-15.</i> —Lincoln assassinated	251
<i>December 18.</i> —Amendment abolishing slavery adopted by ratification of two-thirds of states	

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INDEX

- | | |
|--|--|
| Abolition Societies, 50, 51,
179 | Boonville Court, 12, 14, 15,
16 |
| Allen, 98 | Booth, Wilkes, 251 |
| Alton, 128 | Border states, 156, 181 |
| Amendment to Constitution,
222, 228, 237, 253 | Breckinridge, J. C., 143 |
| Anderson, Major Robt., 32,
157, 251 | Breckinridge and Bell, 143 |
| Anderson's Creek, 20 | Brown, John, 135 |
| Antietam, Battle of, 174,
246 | Buchanan, President, 119,
147, 150 |
| Arizona, 256 | Bull Run, 161 |
| Arkansas, 156 | Burnside, Gen., 175, 195-6 |
| Armstrong case, 94-101 | |
| Armstrong, Jack, 24, 94 | Calhoun, John, 38 |
| Armstrong, "Duff," 96 | Cameron, Simon, 140, 147 |
| Autobiography, 68, 69 | Campbell, Judge John A.,
235 |
| | Canada, 225 |
| Baddeley, 56, 57 | Cartwright, Peter, 68, 100 |
| Baker, Edward, 67 | Cases, famous law, 93-103 |
| Baltimore Convention, 139 | Cass, Gen., 34 |
| Bell, John, 143 | Chancellorsville, 200 |
| Benjamin, Judah, 138 | Charleston, Ill., 128 |
| Berry, Wm., 36 | Charleston, S. C., 138 |
| Berry & Lincoln, 36-39 | Chase, Salmon, 140, 143,
148, 223, 224, 232 |
| Black Hawk War, 28-32 | Chicago clergy, 185-186 |
| "Black Republicans," 102 | Circuit, Eighth Judicial, 78-
85 |
| Blair, Francis, Sr., 233-4 | Circuit riders, 12-17 |
| Boone, Nathan, 33 | |

INDEX

- Clary's Grove, 23-27, 30, 94, 95
- Compensation for slaves, 75, 179, 181, 201-202, 212, 220, 221, 240, 252
- Confiscation Bill, 180
- Congress, 34, 70-77
- Congressional Directory, 68, 69
- Constitutional Amendment, 222, 228, 237, 253
- Cooper Union, 136
- Crawford, "Blue Nose," 10
- Cullom Shelby, 100

- Dates, Appendix, II
- Davis, David, 81-85, 88, 141, 147
- Davis, Jefferson, 33, 226, 233-234, 239
- Debates, 127-133, 138
- Decatur, Ill., 19
- Delaware slaves, 190, 199, 201-202, 220
- Democratic Convention, 138-139, 224
- Dickey, Judge, 107
- District of Columbia, 50, 51, 74, 75, 220, 221
- Douglas, Stephen A., 45, 53, 66, 103-108, 109-113, 127-133, 134, 138, 151
- Dred Scott, 117-8, 121-125, 130-131

- Eggleston, Edward, 94

- Electoral vote, 144
- Emancipation proclamation, 181, 187-194, 195-202
- England, neutrality of, 160, 161
- Ethics, legal, 85-92, 121
- European opinions, 209
- Ewell, Gen., 173

- Farragut, Admiral, 228
- Florida, 180
- Foreign intervention, 209
- Fort Sumter, 156, 251
- Fraim, Wm., 94
- France, 210, 224
- Franklin, Gen., 196
- Freeport debate, 128, 129
- Freese, Jacob, 214
- Frémont, Gen., 116, 179, 224, 228

- Galesburg, 128
- Gentryville, 6, 8, 11, 20
- Georgia, 180
- Gettysburg, Battle of, 203-209, 246
- Goodrich, Grant, 76
- Grandfather, Lincoln's, 1
- Grant, Gen. U. S., 209, 218-219, 222-223, 229, 230, 245-246
- "Graysons, The," 94
- Greeley, Horace, 124, 182-185, 223, 225-226
- Green, Bowling, 42, 43

INDEX

- Hackett, James H., 213
 Halleck, Gen., 206
 Hamilton, A., 33
 Hamilton, Wm., 33
 Hampton Roads Conference,
 235-238, 240
 Hanks, John, 140
 Hanks, Nancy, 3
 Hardin, Gen., 67
 Hardin County, 4
 Herndon, W. H., 87, 100
 Hodgenville, 4
 "Honest Abe," 23
 Hood, Gen., 231
 Hooker, Gen. Jos., 195-200
 Hunter, Gen., 180
 Hunter, Senator, 235

 Idaho, 256
 Illinois Central R. R., 95
 Inaugural, first, 151, 152,
 177
 Inaugural, second, 241
 Indiana Courts, 18
 Ingersoll, Robt. G., 254-255

 Jackson, "Stonewall," 173,
 200
 Jefferson, Joseph, 61
 Johnson, Gen. Albert Sid-
 ney, 33
 Johnson, Mrs. Sarah Bush,
 8, 9
 Johnston, Gen. Jos., 172-3
 Jones' store, 11

 Jonesboro, 128
 Kansas & Nebraska, 106,
 124
 Kentucky, 1, 4, 6, 156

 Lee, Gen., R. E., 158-159,
 173-174, 187, 200, 223,
 230, 239, 244-245
 Lincoln, Abraham (grand-
 father of President), 1
 Lincoln, Thomas, 2, 3, 4, 8,
 18
 Lincoln, Mrs. Thomas, 3, 5,
 6, 8, 9
 Lincoln, Abraham, Presi-
 dent, Slavery policy of,
 see Chapters XXXIII,
 XXXIV, XXXV,
 XXXVII, XXXVIII;
 236-238, 240; Chapters
 XLI, XLII
 Lincoln-Douglas debates,
 127-133
 Lincoln & Herndon, 68, 78
 "Little Napoleon," 195
 Logan, Judge S. T., 49, 100
 Logan & Lincoln, 64-67
 "Long Nine," 48, 50
 Longstreet, Gen., 173
 "Lost Speech," 115
 Louisiana, 190, 231

 Maine, 256
 Manassas, Battle of, 161
 Maryland, 190, 220, 221,
 231

INDEX

- Mason & Slidell, 162, 164
- Matson case, 120
- Maximilian, Emperor, 224
- McClellan, Gen. Geo. B.,
161, 165-175, 187-188,
195, 224, 227-228
- McClelland, Gen., 100
- Meade, Gen. Geo., 206-208
- Metzker, 95-96
- Mexican War, 70-74
- Missouri, 179, 190, 220, 221
- Missouri Compromise, 103-
108
- Mobile Bay, Battle of, 228
- Monroe Doctrine, 224
- Murder trials, 93-103

- Nashville, Tenn., 231
- Negro troops, 193
- Neutrality, British, 160-161
- New Hampshire, 256
- New Orleans, 20, 21
- New Mexico, 256
- New Salem, 20
- North Carolina, 156

- Office-seekers, 159
- Offut, Denton, 20, 23
- Oklahoma, 256
- Ordinance of Secession, 148
- Oregon, 256
- Ottawa debate, 128-129

- Palmer, John M., 100
- Pickett's charge, 207
- Polk, President, 72

- Pope, Gen., 173
- "Popular Sovereignty," 106,
118, 124
- Preliminary proclamation,
181, 187-195
- Protest against slavery, 50,
51

- Quincy, 128

- Reconstruction, 248-251
- Republican Convention, 140-
143, 224
- Republican party, 114-117
- Rhode Island, 256
- Richmond, Va., 244-245
- Rock Island R. R., 95
- Rutledge, Anne, 46

- San Jacinto, 162
- Sangamon River, 27
- Santa Anna, 71, 72
- Scott, Gen. Winfield, 33
- Secession Ordinance, 148
- Seward, Wm. H., 137, 142,
154, 163, 164, 208
- Sharpsburg, Battle of, 174
- Sheridan, Gen. Phillip, 228,
229
- Sherman, Gen. W. T., 228,
229, 231, 242-244
- Short, John, 39
- Slave trade, 179

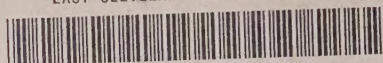
INDEX

- | | |
|--|-------------------------------------|
| Slavery protest, 50, 51 | Tennessee, 156, 190 |
| Slavery as affected by eman-
cipation proclamation,
189-195, 201-204 | Texas, 71, 72, 73 |
| South Carolina, 146, 148,
156, 180 | Thirteenth Amendment, 237,
253 |
| Southern army, 193 | Thomas, Gen., 231 |
| "Spot resolutions," 73 | Todd, Mary, 66 |
| Springfield Board of Trus-
tees, 61 | <i>Trent</i> , 162 |
| Stanton, Edwin, 214-215,
216 | Trumbull, Lyman, 113 |
| Stephens, A. H., 235-238 | Unconditional Union Men,
211-213 |
| Stone, Daniel, 50 | Vandalia, 50 |
| Stuart, Gen. J. E. B., 173 | Vermont, 256 |
| Stuart, John T., 36, 65 | Vicksburg, 209 |
| Stuart & Lincoln, 52-62 | Virginia, slaves in, 22, 190 |
| Sumner, 245 | War, causes of, 176-178 |
| | Ward, Artemus, 188, 189 |
| Talisman, the, 28 | West Virginia, 190, 220, 221 |
| Taney, Roger, 151, 232 | Wilkes, Capt., 162, 163 |
| Taylor, Zachary, 33 | Willson, Judge, 120 |
| | Wisconsin, 256 |

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